



City of San Marcos

Regular Meeting Historic Preservation Commission January 5, 2023, 6:00 PM City Hall, Council Chambers 630 East Hopkins Street

AGENDA AMENDED TO CORRECT DATE OF MINUTES FOR APPROVAL FROM NOVEMBER 3 TO DECEMBER 1

The Commission member presiding over the meeting will be present at this location.

Due to COVID-19, this will be a hybrid (in-person/virtual) meeting. For more information on how to observe the virtual meeting, please visit:

<https://sanmarcostx.gov/2861/Historic-Preservation-Commission-VideosA>

The Historic Preservation Commission may adjourn into executive session to consider any item on the agenda if a matter is raised that is appropriate for Executive Session discussion. An announcement will be made on the basis for the Executive Session discussion. The Historic Preservation Commission may also publicly discuss any item listed on this agenda for Executive Session.

I. Call To Order

II. Roll Call

- III. 30 Minute Citizen Comment Period:** *Persons wishing to participate (speak) during the citizen comment period must submit their written comments to hpccommission@sanmarcostx.gov no later than **12:00 p.m. (noon)** on the day of the meeting. A call-in number to join by phone or link will be provided for participation on a mobile device, laptop or desktop computer. Timely submitted comments will be read aloud during the citizen comment portion of the meeting. Comments shall have a time limit of three minutes each. Any threatening, defamatory or other similar comments prohibited by Chapter 2 of the San Marcos City Code will not be read. Please indicate if you would like to speak in person.*

MINUTES

1. Consider approval, by motion, of the December 1, 2022 regular meeting minutes.

PUBLIC HEARINGS

*Written comments or requests to join in a public hearing must be sent to hpccommission@sanmarcostx.gov the day prior to the meeting and no later than **12:00 p.m.***

(noon) on the day of the hearing. A call-in number to join by phone or link will be provided for participation on a mobile device, laptop or desktop computer. Comments shall have a time limit of three minutes each. Any threatening, defamatory or other similar comments prohibited by Chapter 2 of the San Marcos City Code will not be read. Any additional information regarding this virtual meeting may be found at the following link: <https://sanmarcostx.gov/2861/Historic-Preservation-Commission-VideosA>. Please indicate if you would like to speak in person.

2. **HPC-22-30 (804 Burleson Street)** Hold a public hearing and consider a request for a Certificate of Appropriateness by Kristy Money to allow the construction of a new, detached three-car garage, which will include a 1,000 square foot Accessory Dwelling Unit (ADU) located on the second floor, and a new concrete ribbon driveway for access off Burleson Street.

UPDATES

3. Updates on the following:
 - a. HPC Committee Reports Concerning Recent Activities
 - b. Grant Opportunities and Updates
 - c. Dunbar School Home Economics Building Restoration Progress
 - d. Comprehensive Plan / Downtown Area Plan / Dunbar & Heritage Neighborhood Plan
 - e. Upcoming Events and Training Opportunities

DISCUSSION ITEMS

4. Discussion regarding a process to rename local historic landmarks and provide feedback to staff.
5. Discussion regarding current tree and habitat protection requirements and provide feedback to staff.
6. Discussion and consideration of the formation of a committee, as described in the Commission bylaws, to plan a Preservation Month event.

IV. FUTURE AGENDA ITEMS

Board Members may provide requests for discussion items for a future agenda in accordance with the board's approved bylaws. *(No further discussion will be held related to topics proposed until they are posted on a future agenda in accordance with the Texas Open Meetings Act.)*

V. QUESTION AND ANSWER SESSION WITH PRESS AND PUBLIC

This is an opportunity for the Press and Public to ask questions related to items on this agenda. Persons wishing to participate remotely in the Q&A session must email hpccommission@sanmarcostx.gov beginning the day prior to the meeting and before 12:00PM the day

of the meeting. A call-in number to join by phone or link will be provided for participation on a mobile device, laptop or desktop computer. If attending in person, no sign up is required.

VI. ADJOURNMENT

Notice of Assistance at the Public Meetings

The City of San Marcos is committed to compliance with the American with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. If requiring Sign Language Interpreters or alternative formats, please give notice at least 2 days (48 hours) before the meeting date. Individuals who require auxiliary aids and services for this meeting should contact the City of San Marcos ADA Coordinator at 512-393-8000 (voice) or call Texas Relay Service (TRS) by dialing 7-1-1. Requests can also be faxed to 855-461-6674 or sent by e-mail to ADArequest@sanmarcostx.gov. For more information on the Historic Preservation Commission, please contact Alison Brake, Historic Preservation Officer at 512.393.8232 or abrake@sanmarcostx.gov.



CITY OF SAN MARCOS

Meeting Minutes

Historic Preservation Commission

Thursday, December 1, 2022

5:45 PM

Hybrid Meeting

Due to COVID-19, this was a hybrid in-person/virtual meeting. For more information on how to observe the virtual meeting, please visit:

<https://sanmarcostx.gov/2861/Historic-Preservation-Commission-VideosA>

I. Call To Order

With a quorum present the regular meeting of the San Marcos Historic Preservation Commission was called to order at 5:45 p.m. on Thursday, November 3, 2022.

II. Roll Call

Present 5 – Commissioner Perkins, Commissioner Baker, Commissioner Little, Commissioner Dake, and Commissioner Dedek

Absent 2 – Commissioner Rogers and Commissioner Ong'olo

III. 30 Minute Citizen Comment Period:

Billy Ray Callihan, 740 Centre Street, stated that he noticed not all Commissioners were present, along with several other important people. He stated that he would hold his comments until everyone was present.

MINUTES

1. Consider approval, by motion of the October 17, 2022 special meeting minutes.

A motion was made by Commissioner Little, seconded by Commissioner Dedek, to approve the minutes of the October 17, 2022 special meeting as submitted. The motion carried by the following vote:

For: 5 – Commissioner Perkins, Commissioner Baker, Commissioner Little, Commissioner Dake, and Commissioner Dedek

Against: 0

2. Consider approval, by motion, of the November 3, 2022 regular meeting minutes.

A motion was made by Commissioner Little, seconded by Commissioner Dedek, to approve the minutes of the November 3, 2022 regular meeting as submitted. The motion carried by the following vote:

For: 5 – Commissioner Perkins, Commissioner Baker, Commissioner Little, Commissioner Dake, and Commissioner Dedek

Against: 0

Abstain: 1 – Commissioner Perkins

PUBLIC HEARING

- 3. HPC-22-29 (621 West San Antonio Street) Hold a public hearing and consider a request for an extension of a previously approved Certificate of Appropriateness by Andrew Dasso, on behalf of Stephen Dasso, which approved the replacement of the existing composition shingle roof with a standing seam metal roof.**

Alison Brake, Historic Preservation Officer, gave a presentation outlining the request. She concluded the extension of a previously approved Certificate of Appropriateness which approved the replacement of the existing composition shingle roof with a standing seam metal roof was consistent with the San Marcos Development Code [Sections 4.5.2.1(l)(1)(g) and 4.5.2.1(l)(1)(h)] and the Secretary of the Interior Standards for Rehabilitation [Standard Numbers 1, 2, 3, 5, and 9] and neutral with the Secretary of the Interior Standards for Rehabilitation [Standard Numbers 4 and 6].

Andrew Dasso, 621 West San Antonio, stated that he was available for any questions the Commission may have.

Commissioner Perkins closed the public hearing.

A motion was made by Commissioner Perkins, seconded by Commissioner Dake, to approve the extension of a previously approved Certificate of Appropriateness which approved the replacement of the existing composition shingle roof with a standing seam metal roof.

Commissioner Baker asked the applicant if he would be willing to use the darker color, labeled as “Preweathered Galvalume metal” on the exhibit in the agenda packet. Mr. Dasso stated that he was willing to use that color.

A motion was made by Commissioner Baker, seconded by Commissioner Dedek, that the main motion be amended to include the condition that the darker, Preweathered Galvalume metal, as shown in the exhibit provided in the agenda packet is used.

The motion carried by the following vote:

For: 5 – Commissioner Perkins, Commissioner Baker, Commissioner Little, Commissioner Dake, and Commissioner Dedek

Against: 0

Commissioner Perkins called for a vote on the main motion with the following condition: 1) The darker, Preweathered Galvalume metal, as shown in the exhibit provided in the agenda packet is to be utilized.

The motion carried by the following vote:

For: 5 – Commissioner Perkins, Commissioner Baker, Commissioner Little, Commissioner Dake, and Commissioner Dedek

Against: 0

UPDATES**4. Updates on the following:**

- a. HPC Committee Reports Concerning Recent Activities**
- b. Grant Opportunities and Updates**
- c. Dunbar School Home Economics Building Restoration Progress**
- d. Upcoming Events and Training Opportunities**

- a. There were no updates to report.
- b. Staff told the Commission that the National Trust Preservation Fund grant should be announced in mid-December. Funding from the grant, should it be awarded, will help fund the historic preservation plan. Additionally, staff updated on the Underrepresented Communities Grant & CLG Grant, both funding the National Register of Historic Places Nomination for buildings within the Dunbar Neighborhood – the contract will be finalized this month. Commissioner Perkins spoke of the African American Cultural Heritage Action Fund available from the National Trust for Historic Preservation. Letter of Intent to apply for that grant are due on December 19th.
- c. Staff updated the Commission that stabilization plans should be finalized within a couple of weeks and stabilization should occur shortly after.
- d. Commissioner Perkins provided information on 2 events happening: 1) the Dunbar/Heritage Neighborhood Area Plan Walking Tour (12/2, 10 AM – noon); and 2) Preservation Texas will be documenting Jackson Chapel before the structure is demolished (12/3, 11:30 – 2:00); the group will be making measured floor plans, taking photographs, and collecting oral histories from long-time members of the congregation.

DISCUSSION ITEMS**5. Discussion regarding a process to rename local historic landmarks and provide feedback to staff.**

The Commission postponed this item to the January meeting to allow a full Commission to be present.

6. Discussion regarding a potential workshop on repairing and restoring wood windows and provide feedback to staff.

The Commission discussed hosting a workshop centered on repairing and restoring wood windows using local contractors. As the discussion continued, the idea morphed from a singular workshop to a possible preservation fair that would highlight preservation methods and possible preservation craftspeople. The Commission discussed reaching out to preservation-minded groups such as, not limited to, the Hays County Historical Commission, Heritage Association of San Marcos, Dunbar Heritage Association, The Calaboose African American History Museum as potential participants. Commissioner Perkins suggested aiming for May as that is National Preservation Month and forming a committee to continue to plan. Staff will keep this as a standing item under Updates to provide information to the full Commission. Advertisement to the event was noted with great importance to the Commission.

FUTURE AGENDA ITEMS

Commissioner Perkins and Commissioner Little added the following discussion items for a future agenda:

1. Formation of a committee to help plan for Preservation Month in May
2. Existing tree ordinance - what is covered and how the Commission can help protect heritage trees

QUESTION AND ANSWER SESSION WITH PRESS AND PUBLIC

Billy Ray Callihan, 740 Centre Street, suggested the Commission watch Homes & Gardens TV in relation to the potential preservation event. Ms. Hernandez reminded Mr. Callihan that he needed to ask a question about an item on the agenda. Mr. Callihan stated he did not have any.

**THERE BEING NO FURTHER BUSINESS CHAIR PERKINS DECLARED THE MEETING
ADJOURNED AT 6:31 P.M.**

Ryan Patrick Perkins, Chair

ATTEST:

Alison Brake, Historic Preservation Officer

HPC-22-30 804 Burleson (Garage, ADU & Driveway) 400ft Notification Buffer



-  Subject Property
-  400ft Buffer
-  Parcel



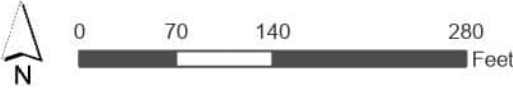
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Date: 12/14/2022





-  Subject Property
-  Parcel



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Date: 12/14/2022



Certificate of Appropriateness

HPC-22-30 (804 Burleson Street)



Summary

Request:	New detached, 3-car garage with an Accessory Dwelling Unit on the second floor New concrete ribbon driveway located off Burleson Street		
Applicant:	Kristy Money 804 Burleson Street San Marcos, TX 78666	Property Owner:	Kristy Money 804 Burleson Street San Marcos, TX 78666

Notification

Personal Mailing:	December 16, 2022	Posted Notice:	December 16, 2022
Response:	None as of the date of this report		

Property Description

Address:	804 Burleson Street (See: Aerial Map)		
Location:	Corner of Burleson Street and Brown Terrace		
Historic District:	Burleson Historic District	Contributing Structure	Yes
Date Constructed:	1932	My Historic SMTX Resources Survey:	Medium
National Register of Historic Places:	Not Listed	Recorded Texas Historic Landmark:	No
Building Description:	Two-story, 3,463 square foot residential, stone construction material		

My Historic SMTX Historic Resources Survey Summary

Low	<u>X</u>	Medium	<u>X</u>	High
Medium priority properties are those that could be contributing to an eligible National Register of Historic Places (NRHP) or local historic district. These resources may also have significant associations but are generally more common examples of types or styles or have experienced some alterations.				
The database states the property was the home of Willie (Holloway) & Frank Zimmerman. Mr. Zimmerman was the owner of the movie theaters in town in the 1930s and was known as "Mr. Theater". Information from the property owner states that Mr. Zimmerman came to San Marcos in 1922 from Los Angeles and was inspired by Hollywood Art Deco/Mediterranean styles. Mr. Zimmerman later became the Mayor of San Marcos and guided the effort to establish the police department, water and sewage facilities, the City jail, traffic lights, and garbage service. The database states that the stone used for this house was quarried from his father in law's ranch in Dripping Springs. The survey notes that the flat roof was altered to gabled and that the side porch was enclosed, and a roof added, with a rear carport addition in 1960s. (See Attached, Historic Resources Survey Inventory Table, 1944 Sanborn Map)				

Certificate of Appropriateness

HPC-22-30 (804 Burleson Street)



Current Request

The applicant is proposing to construct a new, detached, two-story, three-car garage that will include a 1,000 square foot Accessory Dwelling Unit (ADU) on the second floor. The renderings show the proposed structure will be a 22-foot-tall stucco building with stone accents that will include a patio roof. Accessory Dwelling Units are a limited use within a single-family zoning district. Section 5.1.3.1(C)(2) regulates these types of structures and uses. These uses are subject to the following standards: 1) The owner of the lot or parcel of land must maintain his or her primary residence on the lot; 2) No more than one accessory dwelling unit may exist on a lot or parcel of land; and 3) The habitable area of the accessory dwelling unit must not exceed the lesser of 1,000 square feet or one-half the number of square feet of habitable area of the principal dwelling on the lot or parcel of land, whichever is lesser.

Please refer to attached documents for the application documents, site plan, photographs, material descriptions, and architectural renderings.

My Historic SMTX Photograph



Staff Evaluation	Criteria for Approval (Sec.2.5.5.4)
<u>No Affect</u>	Consideration of the effect of the activity on historical, architectural, or cultural character of the Historic District or Historic Landmark <i>Approval of the request would not affect the activity noted above.</i>
<u>N/A</u>	For Historic Districts, compliance with the Historic District regulations
<u>No</u>	Whether the property owner would suffer extreme hardship, not including loss of profit, unless the certificate of appropriateness is issued <i>The property owner will not suffer an extreme hardship.</i>
<i>See Analysis Below</i>	The construction and repair standard and guidelines cited in Section 4.5.2.1

Certificate of Appropriateness

HPC-22-30 (804 Burleson Street)



TWO-STORY DETACHED GARAGE WITH ACCESSORY DWELLING UNIT

Staff Evaluation			Construction and Repair Standards (Sec.4.5.2.1(l)(1))
Consistent	Inconsistent	Neutral	New construction and existing buildings and structures and appurtenances thereof within local Historic Districts that are moved, reconstructed, materially altered or repaired shall be visually compatible with other buildings to which they are visually related generally in terms of the following factors; provided, however, these guidelines shall apply only to those exterior portions of buildings and sites visible from adjacent public streets:
<u>X</u>			<p><u>a. Height.</u> The height of a proposed building shall be visually compatible with adjacent buildings.</p> <p><i>The proposed building will not be taller than the main structure. The main structure is 29-feet tall, and the renderings show the proposed structure to be a total of 26-feet tall; 22-feet tall from grade to roof with a 4-foot-tall parapet to create an open-air patio.</i></p>
<u>X</u>			<p><u>b. Proportion of Building's front Facade.</u> The relationship of the width of a building to the height of the front elevation shall be visually compatible to the other buildings to which it is visually related.</p> <p><i>The width of the proposed building is not wider than the main home; it is compatible visually to the main home.</i></p>
		<u>X</u>	<p><u>c. Proportion of openings within the facility.</u> The relationship of the width of the windows in a building shall be visually compatible with the other buildings to which it is visually related.</p> <p><i>The larger windows on the second floor shown on the renderings are similar to the ones found on the first-floor front façade of the main home.</i></p>
	<u>X</u>		<p><u>d. Rhythm of solids to voids in front Facades.</u> The relationship of solids to voids in the front facade of a building shall be visually compatible with the other buildings to which it is visually related.</p> <p><i>There are more voids on the front façade of the main home. Two garage doors will be installed: a single door on the left side for one car to access and a double wide for two cars to access. The Historic District Design Guidelines recommend single doors be installed instead of double wide.</i></p>
<u>X</u>			<p><u>e. Rhythm of spacing of Buildings on Streets.</u> The relationship of a building to the open area between it and adjoining buildings shall be visually compatible to the other buildings to which it is visually related.</p> <p><i>The proposed garage will be located behind the front façade of the main home, towards the rear of the property, which the Guidelines note as preferable.</i></p>

Certificate of Appropriateness

HPC-22-30 (804 Burleson Street)



TWO-STORY DETACHED GARAGE WITH ACCESSORY DWELLING UNIT			
Staff Evaluation			Construction and Repair Standards (Sec.4.5.2.1(l)(1))
Consistent	Inconsistent	Neutral	
		<u>X</u>	<p><u>f. Rhythm of entrance and/or porch projection.</u> The relationship of entrances and porch projections to sidewalks of a building shall be visually compatible to the other buildings to which it is visually related.</p> <p><i>The proposed structure's entrance will be oriented to Burleson Street whereas the entrance to the main home is oriented towards Browne Terrace. Both front façades are oriented to Burleson Street.</i></p>
<u>X</u>			<p><u>g. Relationship of materials, texture, and color.</u> The relationship of the materials, and texture of the exterior of a building including its windows and doors, shall be visually compatible with the predominant materials used in the other buildings to which it is visually related.</p> <p><i>The proposed structure takes design cues from the main home mirroring stone façade material of main home, the proposed railings for patio on roof and 2nd floor balcony mirror those found on main home, as well as the proposed terracotta roof tile accents.</i></p>
	<u>X</u>		<p><u>h. Roof shapes.</u> The roof shape of a building shall be visually compatible with the other buildings to which it is visually related.</p> <p><i>The proposed garage has a flat roof to provide patio space above the Accessory Dwelling Unit. The main home has a gable, metal roof.</i></p>
		<u>N/A</u>	<p><u>i. Walls of continuity.</u> Appurtenances of a building including walls, fences, and building facades shall, if necessary, form cohesive walls of enclosure along a street, to ensure visual compatibility of the building to the other buildings to which it is visually related.</p>
<u>X</u>			<p><u>j. Scale of a Building.</u> The size of a building, the mass of a building in relation to open areas, the windows, door openings, porches and balconies shall be visually compatible with the other buildings to which it is visually related.</p> <p><i>The scale of the proposed building is compatible to the main home. The applicant notes the proposed building will match the scale of the original 1932 home; see Page 14 of the "Photos and Material Descriptions" exhibit.</i></p>
<p><i>See Attached Historic District Design Guidelines (if necessary)</i> <i>See Secretary of the Interior Standards Analysis Below</i></p>			<p>The Historic Preservation Commission may use as general guidelines, in addition to the specific guidelines contained in this section, the Historic District Guidelines located in Appendix C of the San Marcos Design Manual, and the current Standards for Historic Preservation Projects issued by the United States Secretary of the Interior.</p> <p><i>See attached Sections C.1.2.4, C.3.2.5, and C.3.2.6, Historic District Design Guidelines, Appendix C, San Marcos Design Manual</i></p>

Certificate of Appropriateness

HPC-22-30 (804 Burleson Street)



TWO-STORY DETACHED GARAGE WITH ACCESSORY DWELLING UNIT

Staff Evaluation			Secretary of the Interior Standards for Rehabilitation
Consistent	Inconsistent	Neutral	
<u>X</u>			<p>1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces and spatial relationships. <i>The property will continue to be used as a single-family home.</i></p>
<u>X</u>			<p>2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided. <i>The proposed garage will be located behind the front wall plane of the main home, towards the rear of the property, retaining the spatial relationship of the property.</i></p>
<u>X</u>			<p>3. Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken. <i>The proposed structure is not a conjectural feature.</i></p>
		<u>N/A</u>	<p>4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.</p>
		<u>N/A</u>	<p>5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.</p>
		<u>N/A</u>	<p>6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.</p>
		<u>N/A</u>	<p>7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.</p>
		<u>N/A</u>	<p>8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.</p>

Certificate of Appropriateness

HPC-22-30 (804 Burleson Street)



TWO-STORY DETACHED GARAGE WITH ACCESSORY DWELLING UNIT			
Staff Evaluation			Secretary of the Interior Standards for Rehabilitation
Consistent	Inconsistent	Neutral	
<u>X</u>			<p>9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.</p> <p><i>The proposed structure takes design cues from the main home mirroring stone façade material of main home, the proposed railings for patio on roof and 2nd floor balcony mirror those found on main home, as well as the proposed terracotta roof tile accents.</i></p>
<u>X</u>			<p>10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.</p> <p><i>The proposed building could be removed in the future without impairing the essential form and integrity of the property.</i></p>

Certificate of Appropriateness

HPC-22-30 (804 Burleson Street)



NEW CONCRETE RIBBON DRIVEWAY

Staff Evaluation			Construction and Repair Standards (Sec.4.5.2.1(l)(1)) New construction and existing buildings and structures and appurtenances thereof within local Historic Districts that are moved, reconstructed, materially altered or repaired shall be visually compatible with other buildings to which they are visually related generally in terms of the following factors; provided, however, these guidelines shall apply only to those exterior portions of buildings and sites visible from adjacent public streets:
Consistent	Inconsistent	Neutral	
		<u>N/A</u>	a. <u>Height</u> . The height of a proposed building shall be visually compatible with adjacent buildings.
		<u>N/A</u>	b. <u>Proportion of Building's front Facade</u> . The relationship of the width of a building to the height of the front elevation shall be visually compatible to the other buildings to which it is visually related.
		<u>N/A</u>	c. <u>Proportion of openings within the facility</u> . The relationship of the width of the windows in a building shall be visually compatible with the other buildings to which it is visually related.
		<u>N/A</u>	d. <u>Rhythm of solids to voids in front Facades</u> . The relationship of solids to voids in the front facade of a building shall be visually compatible with the other buildings to which it is visually related.
<u>X</u>			e. <u>Rhythm of spacing of Buildings on Streets</u> . The relationship of a building to the open area between it and adjoining buildings shall be visually compatible to the other buildings to which it is visually related. <i>A driveway for access to Burleson Street is not uncommon within the Burleson Historic District. Many homes located on large lots have long driveways for access to Burleson Street which lead up to the homes.</i>
		<u>N/A</u>	f. <u>Rhythm of entrance and/or porch projection</u> . The relationship of entrances and porch projections to sidewalks of a building shall be visually compatible to the other buildings to which it is visually related.

Certificate of Appropriateness

HPC-22-30 (804 Burleson Street)



NEW CONCRETE RIBBON DRIVEWAY			
Staff Evaluation			Construction and Repair Standards (Sec.4.5.2.1(l)(1))
Consistent	Inconsistent	Neutral	
<u>X</u>			<p><u>g. Relationship of materials, texture and color.</u> The relationship of the materials, and texture of the exterior of a building including its windows and doors, shall be visually compatible with the predominant materials used in the other buildings to which it is visually related.</p> <p>Concrete ribbon driveways are listed in the Historic District Design Guidelines as driveway materials that might be used and have been approved by the Commission in the past. Other homes within the Burleson Historic District have driveways located off Burleson Street and are either concrete or asphalt. The Commission approved a new ribbon driveway at 515 Scott Street, located within the Burleson Historic District, last year.</p>
		<u>N/A</u>	<p><u>h. Roof shapes.</u> The roof shape of a building shall be visually compatible with the other buildings to which it is visually related.</p>
		<u>N/A</u>	<p><u>i. Walls of continuity.</u> Appurtenances of a building including walls, fences, and building facades shall, if necessary, form cohesive walls of enclosure along a street, to ensure visual compatibility of the building to the other buildings to which it is visually related.</p>
		<u>N/A</u>	<p><u>j. Scale of a Building.</u> The size of a building, the mass of a building in relation to open areas, the windows, door openings, porches and balconies shall be visually compatible with the other buildings to which it is visually related.</p>
<p>See Attached Historic District Guidelines (if necessary) See Secretary of the Interior Standards Analysis Below</p>			<p>The Historic Preservation Commission may use as general guidelines, in addition to the specific guidelines contained in this section, the Historic District Guidelines located in Appendix C of the San Marcos Design Manual, and the current Standards for Historic Preservation Projects issued by the United States Secretary of the Interior.</p> <p>See attached Sections C.1.2.4 and C.3.2.5, Historic District Design Guidelines, Appendix C, San Marcos Design Manual</p>

Certificate of Appropriateness

HPC-22-30 (804 Burleson Street)








NEW CONCRETE RIBBON DRIVEWAY			
Staff Evaluation			Secretary of the Interior Standards for Rehabilitation
Consistent	Inconsistent	Neutral	
<u>X</u>			<p>1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces and spatial relationships. <i>The property will continue to be used as a single-family home.</i></p>
<u>X</u>			<p>2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided. <i>The location of the new driveway will preserve the historic relationship between the building and the landscape.</i></p>
<u>X</u>			<p>3. Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken. <i>The driveway is not a conjectural feature.</i></p>
		<u>N/A</u>	<p>4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.</p>
		<u>N/A</u>	<p>5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.</p>
		<u>N/A</u>	<p>6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.</p>
		<u>N/A</u>	<p>7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.</p>
		<u>N/A</u>	<p>8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.</p>

Certificate of Appropriateness

HPC-22-30 (804 Burleson Street)

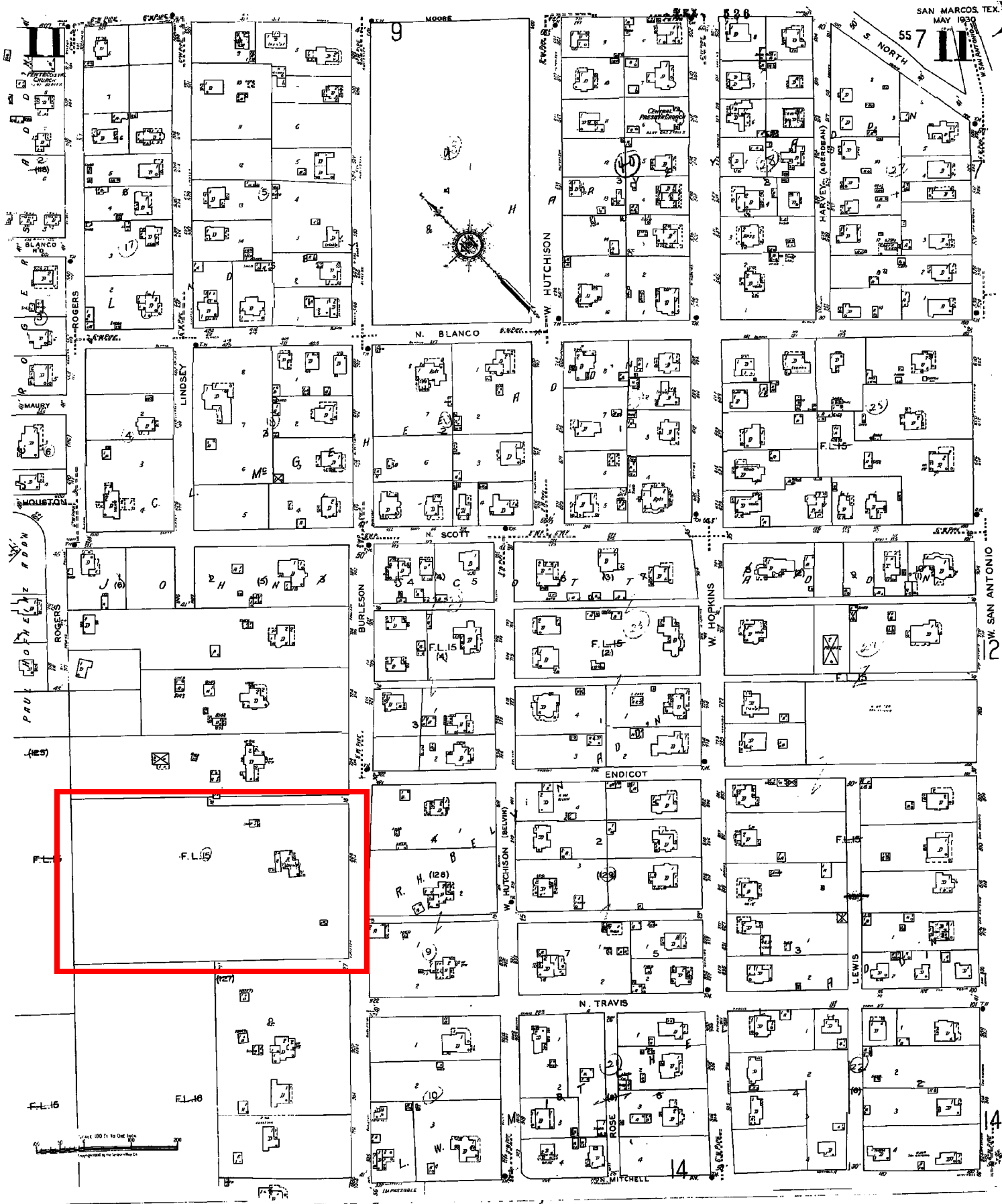


NEW CONCRETE RIBBON DRIVEWAY			
Staff Evaluation			Secretary of the Interior Standards for Rehabilitation
Consistent	Inconsistent	Neutral	
<u>X</u>			<p>9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.</p> <p><i>Concrete ribbon driveways are listed in the Historic District Design Guidelines as driveway materials that might be used and have been approved by the Commission in the past. The Commission approved a new ribbon driveway at 515 Scott Street, located within the Burleson Historic District, last year.</i></p>
<u>X</u>			<p>10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.</p> <p><i>The driveway could be removed from the property in the future without impairing the essential form and integrity of the property.</i></p>

Local Id# / Image	Address	Current Name/ Historic Name	Current Function/ Historic Function	Stylistic Influence/ Historical Context	Construction Date	Existing Designation	Eligibility	Priority
R27369 	804 BURLESON ST SAN MARCOS	Zimmerman Home	Domestic	Vernacular; Art Deco/Mediterranean (influences) Architecture, Community Development	1932	<input type="checkbox"/> NR <input type="checkbox"/> RTHL <input type="checkbox"/> OTHM <input type="checkbox"/> HTC <input type="checkbox"/> SAL <input checked="" type="checkbox"/> Local <input type="checkbox"/> In District	Individually: No In District?: Yes Contributing	Medium
Burleson Local Historic District						<input checked="" type="checkbox"/> Contributing		
R27357b 	826 BURLESON ST SAN MARCOS		Domestic	Minimal Traditional	ca. 1945	<input type="checkbox"/> NR <input type="checkbox"/> RTHL <input type="checkbox"/> OTHM <input type="checkbox"/> HTC <input type="checkbox"/> SAL <input checked="" type="checkbox"/> Local <input type="checkbox"/> In District <input type="checkbox"/> Contributing	Individually: No In District?: Yes Non-contributing	Low
Burleson Street Local Historic District								
R27357a 	828 BURLESON ST SAN MARCOS	Kasch Corner	Domestic	Ranch Style	ca. 1950	<input type="checkbox"/> NR <input type="checkbox"/> RTHL <input type="checkbox"/> OTHM <input type="checkbox"/> HTC <input type="checkbox"/> SAL <input checked="" type="checkbox"/> Local <input type="checkbox"/> In District <input checked="" type="checkbox"/> Contributing	Individually: No In District?: Yes Contributing	Medium
Burleson Street Local Historic District								
R70902 	902 BURLESON ST SAN MARCOS	Kasch House	Domestic	Queen Anne Architecture, Community Development	1890-94	<input type="checkbox"/> NR <input type="checkbox"/> RTHL <input type="checkbox"/> OTHM <input type="checkbox"/> HTC <input type="checkbox"/> SAL <input checked="" type="checkbox"/> Local <input type="checkbox"/> In District	Individually: Yes In District?: Yes Contributing	High
Burleson Street Local Historic District						<input checked="" type="checkbox"/> Contributing		
R27392 	904 BURLESON ST SAN MARCOS		Domestic	Colonial Revival	ca. 1935	<input type="checkbox"/> NR <input type="checkbox"/> RTHL <input type="checkbox"/> OTHM <input type="checkbox"/> HTC <input type="checkbox"/> SAL <input checked="" type="checkbox"/> Local <input type="checkbox"/> In District <input checked="" type="checkbox"/> Contributing	Individually: No In District?: Yes Contributing	Medium
Burleson Street Local Historic District								

557

S. NORTH





ARCHITECTS

CUSTOM PLANS

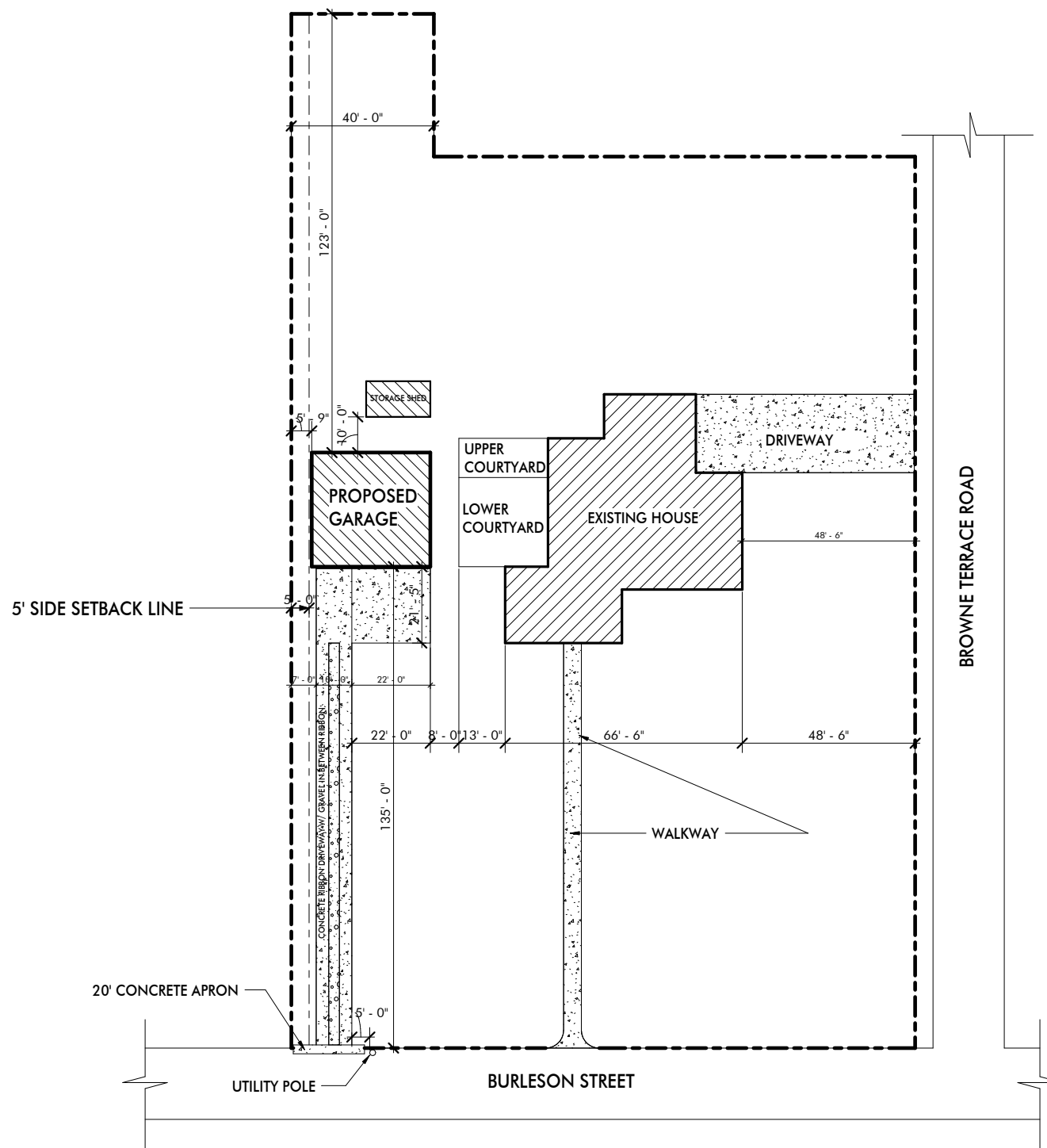
No.	Description	Date

SITE PLAN

Project number	001
Date	SEPTEMBER, 2022
Drawn by	STEPHEN
Checked by	STEPHEN

A111

Scale	3/64" = 1'-0"
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① SITE PLAN
3/64" = 1'-0"

804 Burleson St, San Marcos TX

1000sq ft Living Area/Three Car Garage and Driveway

Certificate of Appropriateness

Photos and Material Descriptions



Existing conditions (front of house, 29 ft tall not including chimney)--3 other elevations in appendix)

1. Detailed description of all proposed activities to be undertaken:
First, foundation contractor will construct driveway. Then, he will construct slab foundation. Then we will build detached 3-car garage (garage on 1st floor, living area on second)

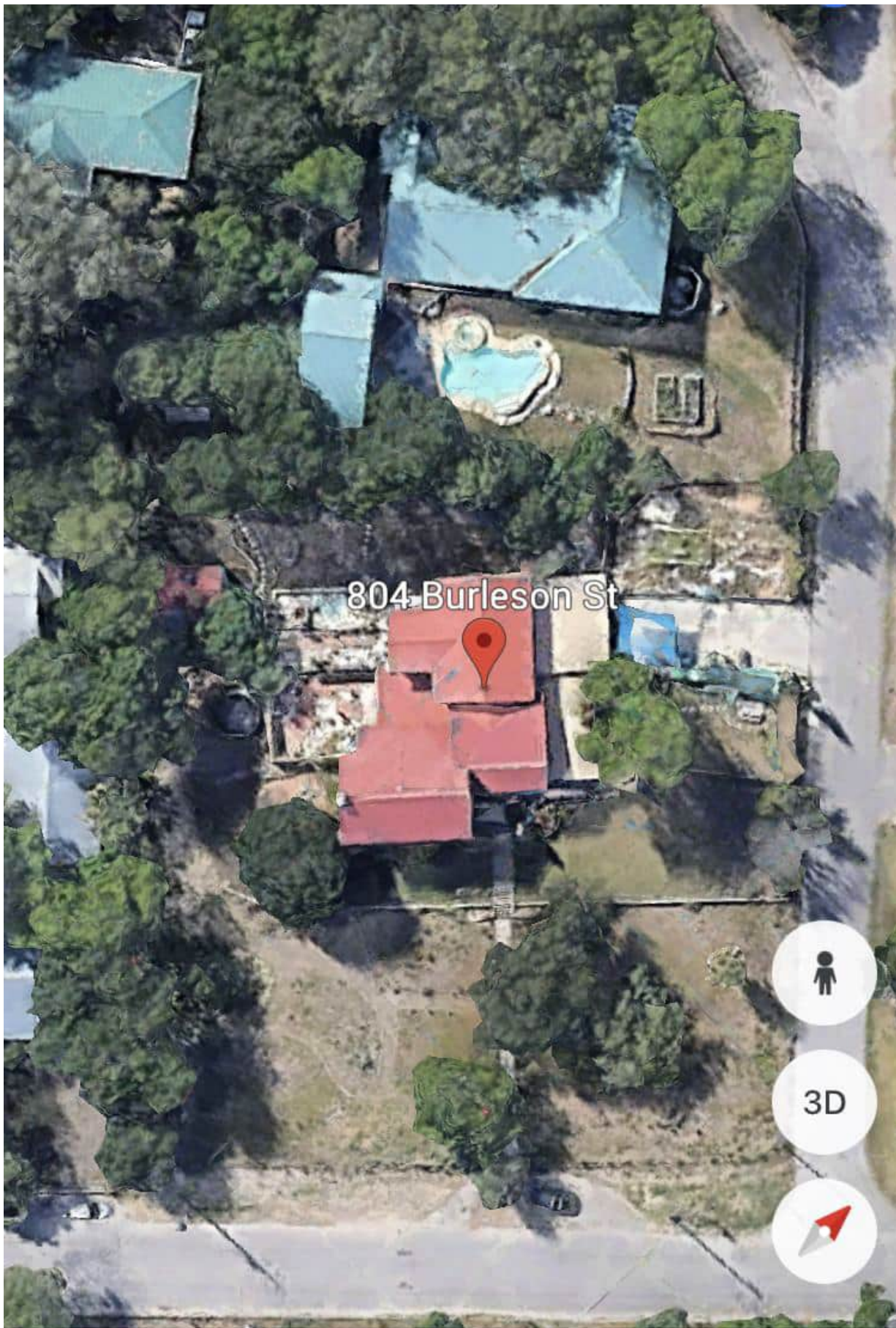
Close-up photo of decorative balcony guardrail:



Area of Alteration Photos:

(there's an XL trampoline in that area now, pictured, will be removed):





2. Existing Building Materials:

Natural stone

Stucco

Black metal guardrails on balcony (Italian style)

Gravel in courtyards and neighbors' driveways utilize gravel

Red metal roof, and terra cotta roof tile accents on balcony with black, decorative guardrail.

Large picture windows made of glass and steel

3. Existing Site Plan

(see proposed site plan on page 21, architect says it's the same site plan, simply without the new garage and driveway)

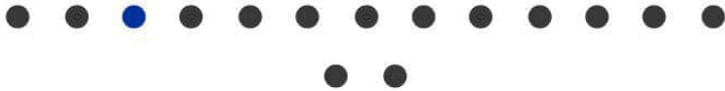
4. Existing building elevation:

29 ft tall from front elevation facing Burleson St., what can be seen from road (and 3 car garage w/living space will be 22 ft tall)

5. Description of proposed building material details, specifications:

Natural stone of same color and size as original house, black metal guardrails/ballusters on balcony (italian style), large windows that will double-function as sliding doors (see pics/specifications below).

Exterior Wall Sconces:



View In Your Space



Chat Now

- Cast aluminum construction
- Black finish with seedy glass
- Suitable in wet location

Fixture Height (Inches)

8.78

Fixture Width (Inches)

7.55

Menu

Search

0

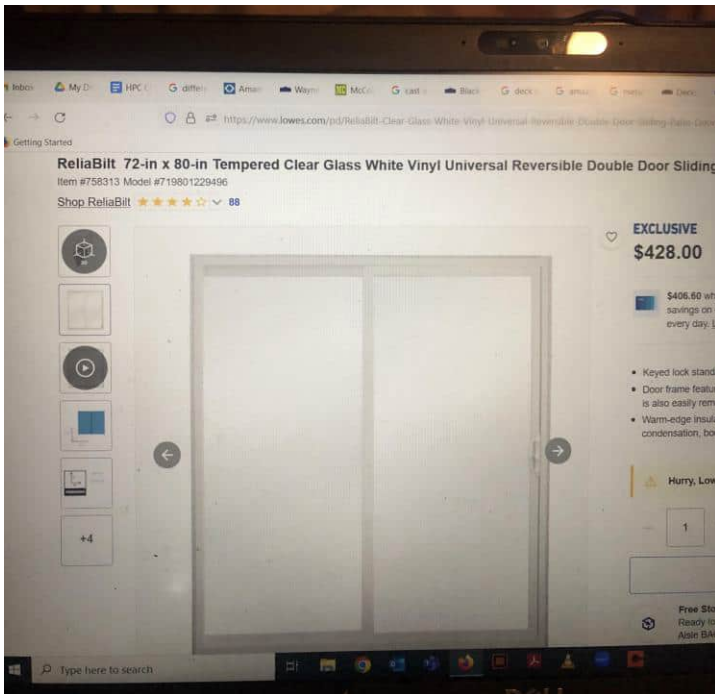
All Departments > Home > Home Improvement >

Amarr Hillcrest 1000 Sandtone Panel Garage Door (Multiple Options)

Item # 496861 | ★★★★★ 4.0 (2)



Front picture windows alternative (sliding doors): will be able to open/close and better for air quality/heating cooling bill/safety, did not exist when home built. Current picture windows are 108 inches by 72 inches, sliding doors will be 80 by 72 inches. They line up in a group of 3 on original house and will be for ADU too. Current house is much taller and wider than is possible by ADU size/height restrictions, so proportionally the ADU windows will mirror the largeness/distinction the windows serve on the front facade of original house. The 1932 house had a modern/Med-Deco design for its day and we want to be true to that theme not just with the windows but utilizing the terra cotta roof tiles on balconies in the same way they did. They'll also match side of original house sliding door/picture windows (which can't be seen from either road, see pic).



Front and side door, exact same as side doors on original house:

Wi-Fi Calling 1:38 AM 43% lowes.com

JELD-WEN 32-in x 80-in Steel Universal
Reversible Primed Slab Single Front Door Solid
Core

Item #782756 Model #JW233200005

Shop JELD-WEN  57

\$188.00



\$178.60 when you choose 5% savings on
eligible purchases every day. [Learn how](#)



Decorative scrollwork that will be welded onto black guardrail posts to match existing balcony guardrail (the “heart” shape is designed to be spit into two halves if necessary, which will mirror the existing house “s” shape of the scrolls instead of a double “heart”)

/ Deck Accents

Gilpin Black Metal Deck Rail Centerpiece

Item #5266905 Model #571

★★★★★

▼

1

\$21.61



\$20.53 when you choose 5% savings on eligible purchases every day. [Learn how](#)



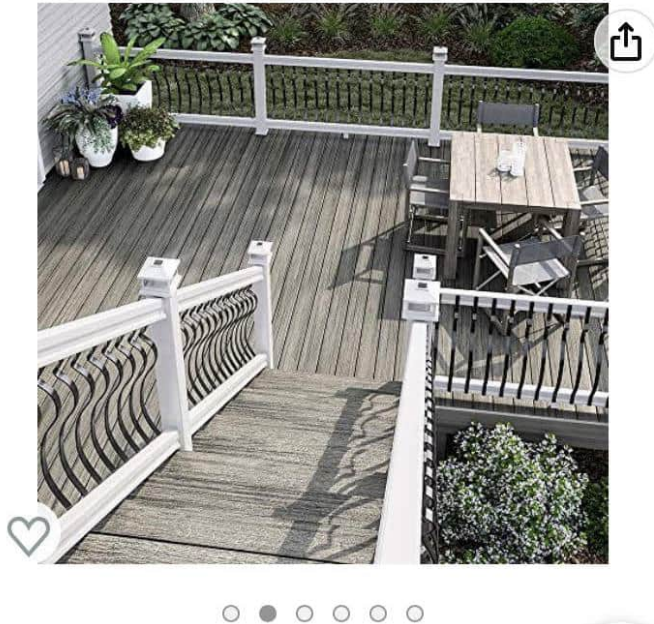
Newel Posts

Ballusters (rails/corner posts will be black not white and match the size of the original square corner posts on balcony (3 inch by 3 inch square posts, see pic):

Brand: Generic

★★★★★ 270

29.5 in. x 1 in. x .1875 in. Black Aluminum Silhouette
Balusters (60 pack), Wood and Composite Deck Railing
Compatible, Semigloss Finish, Wrought Iron Look



Item Package Quantity: 60

Accurate annotated Site Plan:

(see attachment to this email)

APPENDIX

Original 1932 home: note patio roof, italiante balcony, and gravel driveway



3 other elevations of original house. Elevation facing Browne Terrace shows stucco with natural rock underneath, painted, in the corner if you look closely. Soon we'd like to apply for another certificate to blast that paint off so the beautiful stone underneath can be visible.



Elevation facing new garage. Stucco

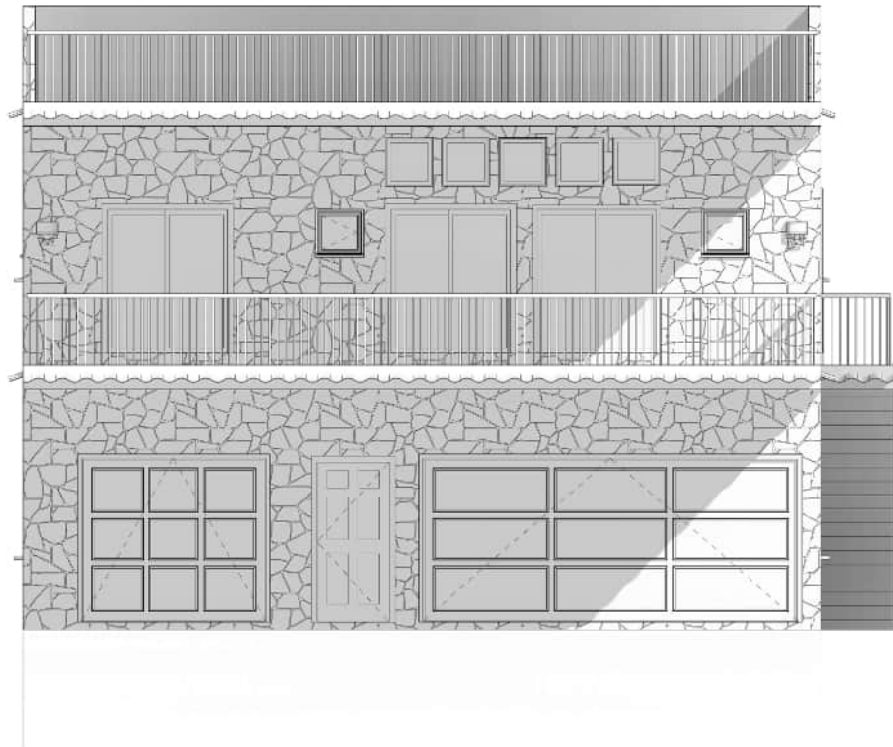


Elevation facing Browne Terrace. Stucco/stone combo



Rear elevation, stone/stucco combo

KRISTY NEW GARAGE DRAWINGS





ARCHITECTS

CUSTOM PLANS

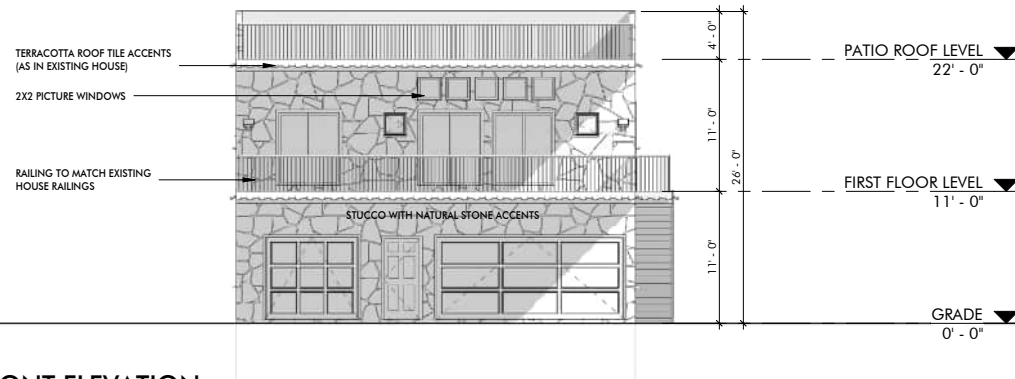
No.	Description	Date

FRONT & LEFT ELEVATIONS

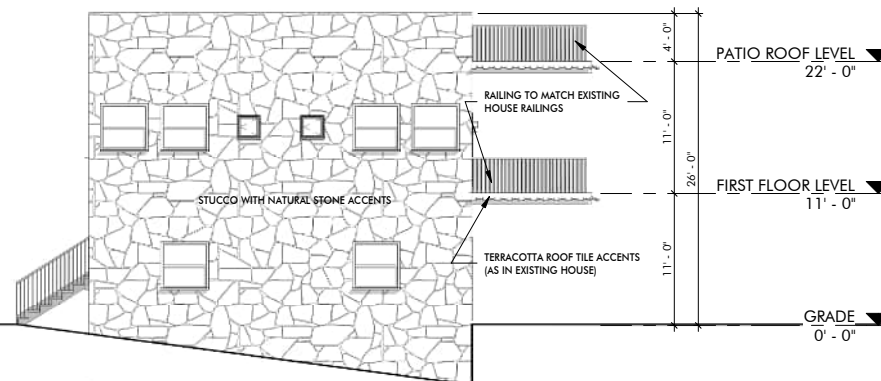
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Date	SEPTEMBER, 2022
Drawn by	STEPHEN
Checked by	STEPHEN

A109

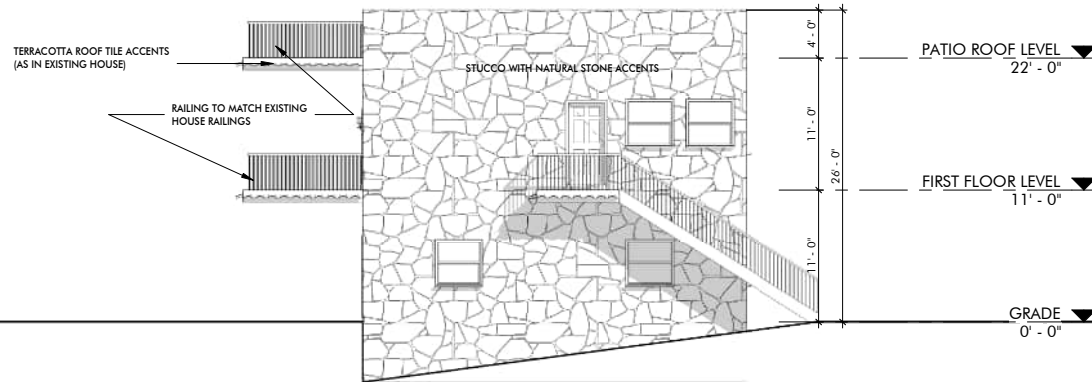
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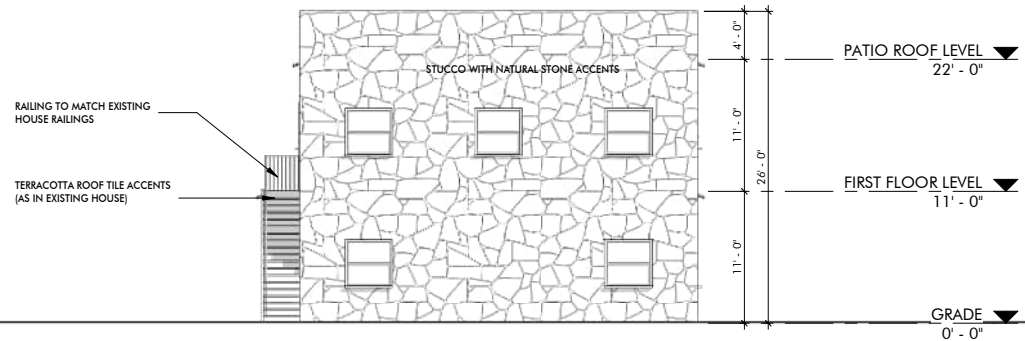
① FRONT ELEVATION
1/8" = 1'-0"



② LEFT ELEVATION
1/8" = 1'-0"



① RIGHT ELEVATION
1/8" = 1'-0"



② REAR ELEVATION
1/8" = 1'-0"



ARCHITECTS

CUSTOM
PLANS

No.	Description	Date

RIGHT & REAR
ELEVATIONS

Project number	001
Date	SEPTEMBER, 2022
Drawn by	STEPHEN
Checked by	STEPHEN

A110

Scale	1/8" = 1'-0"
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Section C.1.2.3 Residential Buildings

- A. Porches are frequently the most modified portion of a house. Returning a porch to its original design, when possible, will make a positive visual impact to the house and the neighborhood.
- B. If a porch has been lowered, consider raising it to its original level.
- C. If the original columns have been replaced with another material and design, consider replacing the columns with columns which are compatible with the original design and material.
- D. If porches have been closed to provide additional space in the house, look for other locations for this space when remodeling.
- E. If porches have been removed, consider reconstructing them.
- F. Synthetic siding which has been applied over the original siding changes the character of the house. Consider removing the synthetic siding and restoring the original detail of the house.
- G. When windows have been removed and placed with windows of a different material and proportion, consider replacing them with windows to match the original.

Section C.1.2.4 New Construction in Historic Districts

- 1. As opportunities arise, new construction will take place in historic districts and this is to be encouraged in order to maintain a viable living community. However, new construction should follow the characteristics and guidelines outlined in this document.
- 2. Respect and maintain the overall height of buildings in the immediate vicinity.
- 3. Maintain the building relationship to the street. Set the new building back a distance equal to that of the surrounding structures and orient the new building in the same way.
- 4. Maintain the established rhythm of the structural piers in the surrounding buildings, consider a similar rhythm, structural bay or width.
- 5. Respect the overall proportion and form. Maintain the width to height relationship.

- 6. Utilize floor heights common to adjacent buildings. Maintain the horizontal continuity of the elevations in commercial buildings.
- 7. Roof forms and roof lines or cornices should be consistent in shape and detail.
- 8. Maintain the solid-to-void pattern established in the window openings and follow the proportions established in these openings.
- 9. Materials used in the construction of new buildings should reflect the period in which they are built but should respect the established scale of adjacent buildings.
- 10. Construct garages and carports to the rear of the property, behind the face of the house.
- 11. Orient garage doors away from the street when possible.
- 12. Consider the density of a neighborhood when constructing new buildings on vacant or subdivided lots.
- 13. Maintain the orientation of building entrances on a street.
- 14. Construct additions to existing buildings that do not overpower the original building.
- 15. Seek guidance and assistance early in a project. Look at options that will enhance the historic district and satisfy your needs.
- 16. Avoid creating a false history when constructing new buildings. New buildings are new buildings and should not be confused with historic structures.

Section C.1.2.5 Priority Planning - Renovation Guidelines

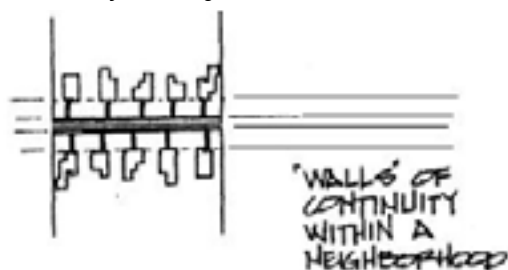
- A. Evaluate the existing structure to establish the most important work to be completed.
- B. What may be the most visible to the eye may not be the most important to the life of the building. For example, a new coat of paint for the front of the building will not do much to extend the life of the building if the roof is leaking badly.
- C. Identify the “character defining” features of the building and relate their importance to the character of the street as well as the building itself.

inherent properties and dimensions of construction materials like brick and wood boards help in understanding the home's size, scale and proportion. Because stucco has no dimension, it is difficult to measure its relationship to the scale of a building. Tudor houses, for example are constructed mainly of brick and stone and because of the size and texture of these materials, the houses express mass with a rustic appearance.



CONTRASTING
MATERIALS
EMPHASIZE
DETAIL

- F. Walls of Continuity.** The front of each building, its walls, its porch alignment and even fences help define a “wall” that establishes a visual pattern along the streetscape. Each neighborhood has visual continuity, starting at the street which is basically a straight line of uniform width. A curb runs along the street defining the green space of the parkway followed by the sidewalk. Each of these elements work to organize a neighborhood. These organizational elements along with orientation and placement of houses on the lot establish the visual continuity of a neighborhood.



- G.** Due to the difference in lot size between the Belvin Street and San Antonio Street Districts, the visual continuity and rhythm are different. Each neighborhood has its own established organization which should be respected.
- H.** As changes are proposed to a site or house, review the lines of continuity and rhythm established in the neighborhood. Look at the scale, form and proportions of proposed changes. Will the proposed project retain and enhance the characteristics or will it create change?

Section C.3.2.5 Site Development and Orientation

- A.** The organization pattern established in each Historic District guides the development and proposed alteration of each site. Historic neighborhoods were designed to be pedestrian friendly since walking was a major mode of transportation. Houses face the street with a logical, visible entrance and a sidewalk that leads from the street to this entrance. Sidewalks from the street to the front door help establish rhythm.
- B.** There is an established distance from the street to the house, which is called a setback. This setback reinforces the importance of the entrance and orientation of the building. Building beyond this setback would change the visual continuity established.



Concrete ribbons leading to garage behind the house (921 W San Antonio St)



Front yard fence does not obscure the house (730 Belvin St)

- C.** Driveway approaches in the front yard lead to garages and secondary outbuildings, which are located behind the main house. Contemporary style houses have incorporated their garage or carports into their house plan, but typically they do not project beyond the established front wall of the house. While the construction of new garages and carports is

sometimes necessary, their placement and approach should respect the original “front line” of the house. This would place them behind the existing setback. Locating them to the rear of the property is preferable.

- D. Front yards are defined by sidewalks, yard curbs, short walls, boundary walls made of stone, brick, concrete or concrete block. These walls are low in profile and do not obscure the house. Front yard fences are not common in these neighborhoods, but there is evidence of historic fences in the Belvin Street Historic District.
- E. The following guidelines are recommended:
 1. Retain the orientation of the house to the street. To change the entrance from the front would alter the pedestrian approach and rhythm.
 2. Removing or relocating the sidewalk from the street would break the rhythm of the neighborhood. Broken sidewalks should be replaced but the location should remain. The material should match the original or should be compatible with the house and the surrounding neighborhood. Materials such as stone, concrete or brick pavers, and decomposed granite are appropriate replacement materials and are not as harsh as large expanses of concrete.



Strong pedestrian approach (220 N Johnson Ave)



Retain orientation of house to street (921 W San Antonio St)

3. Driveway locations should not be altered if it affects the rhythm of the street. Materials that might be used for a driveway are gravel, pea gravel with a brick or metal edge band, pavers, concrete strips or “ribbons” and asphalt. Front yard circular drives are not appropriate to the neighborhood because they encroach on the setback and break the rhythm on the street.
4. The style of the house and the surroundings should be considered when thinking of any type of front yard fence. For example, an ornate Victorian fence would look out of place in front of a Craftsman style house.
5. Review the reason for wanting to install a front yard fence. Did one exist historically? Houses constructed in the 1880s had front yard fences to keep livestock from roaming into the yard. Houses built in the 1920s had no fences in the front yard, which reflected a “progressive” movement when fencing laws reduced the chance for roaming livestock.
6. Can the fence be installed at or behind the setback line?

Section C.3.2.6 Modern Conveniences and Amenities

- A. Historic homes offer charm and character not always found in current residential construction. As families grow and residents grow older, needs change. Air conditioning is a welcome relief from the heat and humidity in San Marcos. Additional rooms and bathrooms may be necessary as children get older. Steps may become impossible to maneuver with age or a disability.

The installation of a “no-step entrance” or ramp can maintain or prolong one's independence and mobility.

- B.** Adapting a historic home for modern use, while maintaining the home's original character, requires thoughtful planning. Weigh the safety and comfort concerns with that of historical accuracy, economic feasibility and long term impact. Ask yourself “How can this improvement or necessity be installed or removed without causing irreparable damage to the historic character of the house or neighborhood”.
- C.** The following includes some of the commonly installed amenities and additions to historic properties:
1. Carefully consider access ramps for temporary or long term disability, and the location and impact of the ramp on the house and neighborhood. The removal of a small section of railing on the side of a porch may be more convenient and less intrusive than to the front of the house. If the porch is not elevated, consider replacing the sidewalk with an incline to eliminate steps at the porch or door.
 2. Air conditioning and electrical equipment should be installed in such a way that it will not damage important architectural features. Study possible locations for the equipment and install it where it is least visible from the street or can be screened with planting material.
 3. Antennas and satellite dishes are considered a removable fixture but with some thought can be sited away from public view.
 4. Chimneys are an important architectural feature and the removal or alteration of existing chimneys alters the historical integrity of the house.
 5. Decks and patios can be compatible with historic houses if thought is given to location, proportion and materials.
 6. Dormers are important to the composition of the roof and should not be eliminated. Scale and form should be retained. New dormers may allow for additional use of the attic, but should be designed to match the style of the original house.
 7. Flags and banners are considered a removable amenity but care should be used when mounting to not damage the historic materials of the house.
 8. Light fixtures located on the building exterior, porches, pathways and paved areas should be appropriate in design, scale and character of the house. There are many available adaptations of fixtures in various architectural styles. A Victorian light fixture is appropriate with a Victorian house but not appropriate with a Ranch or Craftsman style house.
 9. Mailboxes and mail slots should be simple and as unobtrusive as possible. Mailboxes can be obtained in styles compatible with the time period of the house.
 10. Shutters may be installed if they are in keeping with the style of the house and the period of construction. Shutters should be correctly proportioned to the width and height of the window and should be installed with hinges rather than nailed to the wall.
 11. Skylights can add light to interior spaces and may make attic spaces more useable. If flat in profile and positioned away from public view skylights can be installed in older houses. Bubble dome skylights are not appropriate.
 12. Storm/screen doors and windows can be installed without hiding the historic door and surrounding features. Metal framed doors and window screens are acceptable if selected with a white factory finished or painted the color of the door and window trim. Wood storm/screen doors and windows designed for the style of the house can be purchased at most lumber yards.
 13. Orient garages away from the primary view and install single car doors instead of double wide doors.
- D.** As you formulate your ideas to modify and improve your home, questions will arise. There are many sources available for advice and assistance including a neighbor who has completed a similar project, the Texas Historical Commission, City Staff and the National Trust for Historic Preservation. Helpful resources can be found on the City's website.

HPC-22-30

New Garage & Accessory Dwelling Unit

Staff finds request consistent with the following:

- **Sections 4.5.2.1(I)(1)(a), 4.5.2.1(I)(1)(b), 4.5.2.1(I)(1)(e), 4.5.2.1(I)(1)(g), and 4.5.2.1(I)(1)(j):** San Marcos Development Code
- **Standards 1, 2, 3, 9, and 10 :** Secretary of the Interior Standards for Rehabilitation

Staff finds request consistent with the following:

- **Sections 4.5.2.1(I)(1)(e) and 4.5.2.1(I)(1)(h):** San Marcos Development Code

Staff finds request neutral against the following:

- **Sections 4.5.2.1(I)(1)(c), 4.5.2.1(I)(1)(d), and 4.5.2.1(I)(1)(f):** San Marcos Development Code

HPC-22-30

New Concrete Ribbon Driveway

Staff finds request consistent with the following:

- **Sections 4.5.2.1(l)(1)(e) and 4.5.2.1(l)(1)(g):** San Marcos Development Code
- **Standards 1, 2, 3, 9, and 10 :** Secretary of the Interior Standards for Rehabilitation



MEMO

TO: San Marcos Historic Preservation Commission
FROM: Alison Brake, Historic Preservation Officer
DATE: December 5, 2022
RE: Item 4: Potential Process for Renaming Local Historic Landmarks

This item was postponed at the December regular meeting to allow for a full Commission to be present for discussion.

Over the past few months, the Commission has discussed drafting requirements for renaming local historic landmarks, specifically, those owned by the city; eight of the nine local historic landmarks are owned by the city. Currently, only one landmark is privately owned. It should be noted that, in the future, both city-owned and privately-owned properties could be designated as local landmarks.

During the discussion, process and criteria were the pieces the Commission was focused on. Below, the Commission will find information as well as some questions to consider that will help aid the discussion.

Process & Criteria (*all codes or policies referenced have been attached as background*)

Across the country, the processes for naming and renaming typically center on municipal facilities or public streets. While many cities with preservation programs have criteria to designate landmarks at the local level, not many include a process to rename the landmark. The designation regulations of the City of Raleigh, North Carolina notes that the process for amending a landmark is the same as that for designating a landmark; Section 10.2.16(A)(2). City of Austin preservation staff indicated their policy for renaming landmarks, is to follow the process and criteria for designating a local landmark; Section 25-2-352, Section 25-2-354, and Section 25-2-355. The route for designation in Austin is: Historic Landmark Commission, Planning Commission, and then City Council.

The City of San Marcos ordinance which designates a building or site as a local historic landmark does not officially name the building or site; it only indicates it is a local historic landmark. Any naming or renaming would have no bearing on the continuing status as a landmark. When a local landmark is designated, staff updates the Development Code with a future round of Code edits to reflect the name. A local landmark has not been renamed before. A 1997 resolution adopted by City Council (1997-88R) is the current policy for naming city parks and facilities.

There are processes and criteria outlined by the Department of the Interior for properties being listed on the National Register of Historic Places, found in the bulletin titled "*How to Apply the National Register Criteria for Evaluation*", found here: https://www.nps.gov/subjects/nationalregister/upload/NRB-15_web508.pdf. The process and criteria set by the Department of the Interior is followed by many other preservation programs, including the Texas Historical Commission.

The Heritage Association of San Marcos provided a draft process to the Commission which also could provide inspiration on drafting requirements, which is attached.

Commissioner Ong'olo shared the following city policies and codes with staff, stating that these could provide good templates to follow.

- Ogden City, UT: The criteria for naming or renaming city facilities, found within their City Code, may be considered by the City Council and Mayor. Section 7-18-4 is where the specific criteria can be found. There are some that relate to historic significance.
- Ashland, OR: Chapter 13.24 of the Municipal Code relates to the process for naming or renaming a street. The criteria include one that broadly relates to historic significance, Section 13.24.010(B)(5).
- Hermosa Beach, CA: This is a policy guide that establishes criteria and formal procedures for the *"naming of public facilities and outdoor space; the placement of Monuments or Statues, public art, and memorial park benches; and event and activity Sponsorships for the purpose of recognizing individuals, groups or organization that have made a significant contribution to the City of Hermosa Beach."* While the document centers on a naming process, Commissioner Ong'olo thought the review processes found within the document could be helpful to the discussion.
- San Antonio, TX: A process to change the name of a city facility is codified in Chapter 6, Article 116, Division 3. While there are not many criteria within this Section, Section 6-662 provides guidelines regarding choosing names. Additionally, a process exists for a public street to be renamed or to allow a memorial designation to an existing city street. The request is reviewed by the Planning Commission, who gives a recommendation, and is ultimately decided by City Council; process and criteria are found in Section 6-674
- San Diego, CA: A Council policy that covers the naming and renaming of all City Assets, which is defined in the document. The document does a good job of stating what the policy does and does not apply to and presents clear procedures to follow.
- Menlo Park, CA: - Council policy that provides guidance on naming new facilities or changing the names of previously designated facilities.

Questions to Consider

- Should the process to apply only to city-owned historic landmarks or apply to all landmarks, including those privately owned?
- Should the criteria for renaming be specific to San Marcos?
- Should criteria incorporate National guidelines & processes (i.e., National Register of Historic Places)?
- Should criteria follow the proposed amended criteria for designation?

Next Steps

- Historic Preservation Commission provides feedback on process and criteria.
- Staff drafts Recommendation Resolution.
- Historic Preservation Commission acts on Recommendation Resolution.
- Recommendation Resolution sent to City Manager and City Clerk to forward to Mayor and City Council.

- City Council provides initial authorization to amend Development Code text.
- Text Amendment is processed by staff.



Sec. 10.2.16. Historic Landmark Designation

A. Applicability

1. The City Council shall designate Historic Landmarks.
2. Designations and amendments shall be made in accordance with the provisions of this section. Removing the designation from a Historic Landmark shall also follow the provisions of this section.

B. Application Requirements

1. Designation Reports

The Historic Development Commission shall make, or cause to be made, an investigation and report on the historical, prehistorical, architectural, archaeological and cultural significance of each building, structure, site, area or object proposed for designation. Applications prepared by owners will be judged by the same criteria as those prepared by the commission. Such reports shall contain the following information:

- a. The name of the property to be considered for designation—both common and historic names, if they can be determined;
- b. The name and address of the current property owner;
- c. The location of the property proposed to be designated historic, including the street address and County tax map and parcel numbers or the parcel identification number;
- d. The date of construction and of any later alterations, if any;

- e. An assessment of the significance of the site or structure based on the criteria for designation cited below;
- f. An architectural or archaeological description of the area of the site or structure proposed to be designated. If outbuildings or other appurtenant features are proposed to be designated, the report shall contain a description of those features;
- g. A historical discussion of the site or structure within its type, period and locality;
- h. Archival photographs and/or digital images that clearly depict the property proposed to be designated, including views of all facades, pertinent details and siting, as outlined in the supporting information requirements of the current form for Historic Landmark Designation provided by the City; and
- i. A map showing the location of the property, including any outbuildings and appurtenant features.

2. Elements of Ordinances Designating Historic Landmarks:

Ordinances designating historic landmarks shall contain the following elements which shall:

- a. Describe each property designated in the ordinance, including the approximate area of the property so designated;
- b. List the name or names of the owner or owners of the property;
- c. Describe those elements of the property that are integral to its historical, prehistorical, architectural, archaeological and/or cultural significance;
- d. Describe the nature of the commission's jurisdiction over the interior, if any and those interior features of the property to be reviewed for certificates of appropriateness if they are to be changed;
- e. Require, for each building, structure, site, area or object designated as an historic landmark that the waiting period set forth in the general statutes be observed prior to its demolition;
- f. Provide, for each designated historic landmark, a suitable sign or plaque indicating that the property has been so designated. If the owner consents, the sign or plaque shall be placed upon the property; if the owner objects, the sign or plaque shall be placed on a nearby public right-of-way; and

- g. Recite any other information the governing body deems necessary within the authority conferred by the General Statutes.

C. Approval Process

Ordinances designating Historic Landmarks shall be adopted and amended according to the following procedure.

1. Planning Director Action

The Planning Director shall review the designation report and ordinance for conformance to the Application Requirements and provide a report to the Historic Development Commission and City Council that the documents are in conformance with this UDO's requirements.

2. Historic Development Commission Recommendation

The Commission shall forward its recommendation on the report to the City Council. The Council shall refer the report to the State Department of Cultural Resources, Office of Archives and History.

3. Department of Cultural Resources Action

The Department of Cultural Resources, acting through the State Historic Preservation Officer or designee, may make an analysis of and recommendations concerning the report. If the Department does not submit its written comments or recommendations in connection with any proposed designation within 30 days following a written request for such analysis has been received by the department, the Commission and the City Council shall be relieved of any responsibility to consider such comments.

4. Historic Development Commission and City Council Joint Public Hearing

- a. The Historic Development Commission and the City Council shall hold a joint public hearing on the report and proposed ordinance.
- b. Notice of the hearing shall be published at least once in a newspaper generally circulated within the City. Written notice of the hearing shall also be mailed by the Historic Development Commission to all owners and occupants of properties whose identity and current mailing address can be ascertained by the exercise of reasonable diligence.
- c. All such notices shall be published or mailed not less than 10 nor more than 25 days prior to the date set for the public hearing.

- d. The mailed notices in this subsection are for the convenience of property owners and occupants and any defect or their omission therein shall not impair the validity of the public hearing or any action following therefrom.
- e. Following the Joint Public Hearing, the City Council shall refer the proposed ordinance to the Commission for final review and recommendation.

5. Historic Development Commission Action

- a. Taking into consideration the written comments and recommendations of the Department of Cultural Resources and information received during the Public Hearing, if any, the commission shall make a final recommendation to City Council. The commission may recommend any amendments to the report or ordinance.
- b. Upon adoption of the ordinance or any amendments, the commission shall give written notification of such designation to the owners and occupants of each designated historic property, insofar as reasonable diligence permits.
- c. One copy of the ordinance and each amendment shall be filed by the Historic Development Commission in the office of the County Register of Deeds. Each historic property designated as a historic landmark in the ordinance shall be indexed according to the name of the owner of the property in the grantee and grantor indexes in the Register of Deeds office and the Historic Development Commission shall pay a reasonable fee for filing and indexing. A second copy of the ordinance and of each amendment shall be kept on file in the City Clerk's office and shall be made available for public inspection at any reasonable time. A third copy of the ordinance and each amendment shall be given to the director of the Inspections Department.
- d. Upon adoption of the ordinance or any amendments, the Historic Development Commission shall give notice to the County tax assessor. The designation and any recorded restrictions upon the property limiting its use for preservation purposes shall be considered by the assessor in appraising it for tax purposes. The fact that a building, structure, site, area or object has been designated a Historic Landmark shall be clearly indicated on all tax maps maintained by the County or City for such period as the designation remains in effect.

6. City Council Action

Following the joint public hearing and upon receipt of the Commission's final recommendation, the City Council may adopt the ordinance as proposed, adopt the ordinance with any amendments it deems necessary or reject the proposal. If the City Council rejects a designation report, a copy of the minutes of the meeting at which such a decision to reject the report was made shall be mailed to the owner of the property proposed for designation.

D. Considerations for Approval

1. Criteria for Designation

No building, structure, site, area or object shall be recommended for designation as a historic landmark unless it is deemed and found by the Historic Development Commission to be of special significance in terms of its historical, prehistorical, architectural, archaeological and cultural importance and to possess integrity of design, setting, workmanship, materials, feeling and association.

2. Limitations on Interior Designation and Review

Jurisdiction of the commission over interior spaces shall be limited to specific interior features of architectural, artistic or historical significance in publicly owned historic landmarks and of privately owned historic landmarks for which consent for interior review has been given by the owner. If an owner's consent has been filed in the office of the County Register of Deeds and indexed according to the name of the owner of the property in the grantee and grantor indexes, such consent shall bind future owners and/or successors in title. The ordinance establishing the historic designation shall specify the interior features to be reviewed and the specific nature of the commission's jurisdiction over those features.

§ 25-2-352 - HISTORIC DESIGNATION CRITERIA.

- (A) The council may designate a structure or site as a historic landmark (H) combining district if:
- (1) the property is at least 50 years old and represents a period of significance of at least 50 years ago, unless the property is of exceptional importance as defined by National Register Bulletin 22, National Park Service (1996);
 - (2) the property retains a high degree of integrity, as defined by the National Register of Historic Places, that clearly conveys its historical significance and does not include an addition or alteration which has significantly compromised its integrity; and
 - (3) the property:
 - (a) is individually listed in the National Register of Historic Places; or is designated as a Recorded Texas Historic Landmark, State Archeological Landmark, or National Historic Landmark; or
 - (b) demonstrates significance in at least two of the following categories:
 - (i) Architecture. The property embodies the distinguishing characteristics of a recognized architectural style, type, or method of construction; exemplifies technological innovation in design or construction; displays high artistic value in representing ethnic or folk art, architecture, or construction; represents a rare example of an architectural style in the city; serves as an outstanding example of the work of an architect, builder, or artisan who significantly contributed to the development of the city, state, or nation; possesses cultural, historical, or architectural value as a particularly fine or unique example of a utilitarian or vernacular structure; or represents an architectural curiosity or one-of-a-kind building. A property located within a local historic district is ineligible to be nominated for landmark designation under the criterion for architecture, unless it possesses exceptional significance or is representative of a separate period of significance.
 - (ii) Historical Associations. The property has long-standing significant associations with persons, groups, institutions, businesses, or events of historic importance which contributed significantly to the history of the city, state, or nation; or represents a significant portrayal of the cultural practices or the way of life of a definable group of people in a historic time.
 - (iii) Archeology. The property has, or is expected to yield, significant data concerning the human history or prehistory of the region;
 - (iv) Community Value. The property has a unique location, physical characteristic, or significant feature that contributes to the character, image, or cultural identity of the city, a neighborhood, or a particular group.
 - (v) Landscape Feature. The property is a significant natural or designed landscape or landscape feature with artistic, aesthetic, cultural, or historical value to the city.
- (B) The council may designate an area as a historic area (HD) combining district if at least 51 percent of the principal structures within the proposed district are contributing to the historic character of the district when the historic preservation officer certifies that the zoning or rezoning application is complete.
- (C) The council may enlarge the boundary of an existing historic area (HD) combining district if the additional structure, group of structures, or area adds historic, archeological, or cultural value to the district.
- (D) Except as limited by Subsection (E), the council may reduce the boundary of an existing historic area (HD) combining district if:
- (1) the structure to be excluded does not contribute to the historic character of the district;
 - (2) excluding the structure or area will not cause physical, historical, architectural, archeological, or cultural degradation of the district; or

(3) a reasonable use of the structure that allows the exterior to remain in its original style does not exist.

(E) The minimum size for a historic area (HD) combining district is one block face.

Source: Ord. 041202-16; Ord. 20060622-128; Ord. 20111215-091.

§ 25-2-354 - HISTORIC LANDMARK COMMISSION PUBLIC HEARING REQUIREMENT.

- (A) The Historic Landmark Commission shall hold a public hearing on a zoning or rezoning application that requests:
- (1) designation of a historic landmark (H) or historic area (HD) combining district; or
 - (2) an amendment or removal of a historic landmark (H) or historic area (HD) combining district designation.
- (B) The director of the Neighborhood Planning and Zoning Department shall give notice of the public hearing under Section 25-1-132(A) (Notice Of Public Hearing). The Director of the Neighborhood Planning and Zoning Department shall also provide notice of the public hearing by posting signs on the property.
- (C) The Historic Landmark Commission shall make a recommendation to the Land Use Commission on a zoning or rezoning application governed by this section not later than the 14th day after the Historic Landmark Commission closes the public hearing on the application.
- (D) The director of the Neighborhood Planning and Zoning Department shall forward the recommendation of the Historic Landmark Commission to the Land Use Commission and council.

Source: Ord. 041202-16.

§ 25-2-355 - HISTORIC LANDMARK COMMISSION REVIEW.

- (A) The Historic Landmark Commission shall consider the criteria established in Section 25-2-352 (Historic Designation Criteria) when reviewing an application for a historic landmark (H) or historic area (HD) combining district.
- (B) If the Historic Landmark Commission recommends designation of a historic landmark (H) or historic area (HD) combining district, it shall send a recommendation to the Land Use Commission and the council that includes:
- (1) a statement of the reasons for recommending designation of the district;
 - (2) a legal description of the boundary of the district;
 - (3) maps, photographs, and histories of the structures, sites, or areas located in the district as required by administrative rule;
 - (4) findings that support the criteria for designating the district and that establish the importance of the district; and
 - (5) for a historic area (HD) combining district, a historic area district preservation plan and list of designated contributing structures as described in Section 25-2-356 (Historic Area District Ordinance and Preservation Plan Requirement).

Source: Ord. 041202-16; Ord. 20060622-128; 20090806-068; Ord. No. 20170928-099, 10-9-17.

RESOLUTION 1997- 88 R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS, ADOPTING A POLICY FOR NAMING CITY PARKS AND FACILITIES; AND DECLARING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

PART 1. The authority to name city parks, buildings, rooms, and other city facilities resides with the City Council. Only names submitted by the City Manager shall be considered.

PART 2. When determined to be appropriate by the city manager, recognition plaques may be placed on features within facilities, such as fountains, reflective pools, or special rooms without actually naming the feature. City Council approval is not required for placement of such recognition plaques.

PART 3. Facilities may be named for individuals or organizations from the local community, well-known state or national leaders, geographical locations, events, or concepts. Facilities will not be named for individuals unless they have been deceased for at least two years.

PART 4. For the name of an individual or organization from the local community to be considered, one or more of the following criteria shall be met:

- a. The individual or organization will have performed outstanding service to the community. Generally, the service shall have been performed in the area of activity associated with the facility.
- b. The individual or organization will have made a significant contribution of money or land toward the development, maintenance and/or operation of the park, building, or facility.

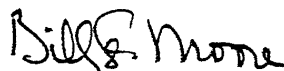
PART 5. Any person or group may submit a nomination to name a facility, building, room or park. The nomination must be in writing and include such things as:

- a. a biographical sketch of the person whose name is suggested;
- b. a detailed description of the person's or organization's involvement in the community or departmental activity;
- c. a statement noting the appropriateness of the proposed name for the facility, building, room or park; and
- d. an estimate of the cost required to place (or replace) signs and plaques as needed to implement the new name.

PART 6. Nominations should be sent to the board, commission, or department having jurisdiction over the facility. If the board or department concurs with the recommended name, then it will forward its recommendation to the City Manager. If the City Manager approves, the name will be submitted to the City Council for final approval of the name.

PART 7. That this Resolution is in full force and effect immediately from and after its passage.

ADOPTED this 9th day of June, 1997.


Billy G. Moore
Mayor

PROPOSED RENAMING GUIDELINE

At the August 4, 2022, meeting of the Historic Preservation Commission, the subject of renaming the Charles S. Cock House was on the agenda. Staff referred to Resolution 1997-88R which provides a generic naming procedure. However, as you will know from the city discussions of renaming the Recreation Hall, a clear and concise protocol was required for rational discussion of that name change. The Heritage Association of San Marcos (HASM) recommends the following information to be added to Resolution 1997-88R to address name changes for City owned historic structures and sites.

Rationale

When the name of a public (city owned) historic building is altered, there are obligations on the city to ensure that the change does not have the effect of erasing history. When a name is retained, there are similar obligations on the city to ensure that preservation does not have the effect of distorting history.

The current guideline, Resolution 1997-88R does not include criteria for amending the name of a historic structure or grounds owned by the city of San Marcos. Therefore, HASM offers the following process be added to R-1997-88R to examine and discuss future naming amendments regarding historic city-owned properties. It is our hope that this would also serve as a guideline for individually owned properties.

Process

1. The proposed naming amendment should be filed with the City Manager. Immediately after receiving the request, the Historic Preservation Officer for the City, or other designee as determined by the City Manager, should contact all stakeholders including, but not limited to, the current occupants of the city owned building, living relatives of the designated individuals proposed, other related interest groups, commissions, or organizations whose mission statement specifies interest in the historic preservation of San Marcos.
2. The Historic Preservation Officer or City Manager designee is charged with soliciting materials from the stakeholders supporting or opposing the proposed naming amendment that applies to the amended Resolution 1997-88R.
3. Once materials have been collected and disbursed to the stakeholders, the Heritage Preservation Commission shall hold an open hearing on the proposed naming amendment. This hearing should be in the form of a town hall where a free and open discussion could exist without the constraints of a three-minute time limit at a regular Historic Preservation Commission meeting. The workshop should be led by a professional facilitator to insure fairness in the discussions.
4. The suggested criteria and goals have designated action steps to follow if the naming amendment is approved or if the naming amendment is not approved. These steps have financial implications. They should be undertaken by the city as the owner of the

PROPOSED RENAMING GUIDELINE

building or by the interest groups supporting the change. If the latter, acknowledgements should be placed on the educational material indicating donors.

Goals of the amendment to Resolution 1997-88R

1. The process and its outcome should be educational and enhance our knowledge and understanding of the history of San Marcos.
2. The process and its outcome should be representative of the current cultural palate of San Marcos and enhance the cultural diversity of our community.
3. The process and its outcome should be respectful to all entities and stakeholders associated with the proposed naming amendment.

Required elements of the Guideline

Note: The following list has been adapted from the criteria matrix for the city recreational hall and from an extensive search of renaming conventions associated with state and private universities and other public/civic entities. It is specific to adding individual names or an organization's name to a structure or site.

The following data must be submitted for consideration of a name change to a historic structure or site.

1. Has the individual identified in the proposed naming amendment been deceased for at least 25 years?
2. Is there evidence of demonstrated historical and/or cultural significance of the individual or organization in relation to the purpose of the building/grounds associated with the proposed naming amendment?
3. Is there evidence of a unique contribution(s) to the history and/or culture of San Marcos by the individual(s) associated with the proposed naming amendment?
4. Can an organization or a person provide a statement noting the appropriateness of the proposed naming amendment for the building?
5. Is there recognition of the individual or organization by any city, county, state, regional, national, or international organization for the individual's or organization's impact on the history and/or culture of San Marcos?
6. Did the individual or organization make a significant contribution of money or land toward the development, maintenance and/or operation of the building?

Once the above six items are submitted, we propose that *at least* four of the above criteria must be met for the name change request packet to move forward for consideration.

PROPOSED RENAMING GUIDELINE

Actions

If we are to improve the understanding and appreciation of the history and culture of San Marcos, we need to do more than reconsider signage and plaques. We need to dedicate ourselves to educational programs that expand, clarify, and challenge our interpretations of history.

1. If a decision is made to change/amend the name of a building, the city will create permanent educational information so that current and future community members will be able to learn about the building's history, how and why the decision to change the building's name was made, and why the new name was chosen. This permanent education could be in the form of a plaque, exhibit, website, or other mediums, as well as being added to the History of San Marcos at the public library.
2. If a decision is made not to change the name of a building, the name of the building will remain, but the city will create and place permanent educational information so that current and future community members will be able to learn about the name and, where applicable, namesake, why the name was evaluated, and why a decision was made to leave the name. This permanent education could be in the form of a plaque, exhibit, website, or other mediums, as well as being added to the History of San Marcos at the public library.

Respectfully submitted,

Debbie Austin, President
Heritage Association of San Marcos
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CHAPTER 18

NAMING AND RENAMING OF CITY FACILITIES

SECTION:

7-18-1: Purpose

7-18-2: Scope

7-18-3: Naming Or Renaming Procedures

7-18-4: Naming Or Renaming Criteria

7-18-5: Revision, Addition, Revocation Or Removal Of Names

7-18-6: Sponsorship Naming

7-18-1: PURPOSE:

The purpose of this chapter is to establish criteria, guidelines and procedures for the naming and renaming of certain city owned real property, facilities, and amenities, which are collectively referred to in this chapter as "city facilities".

(Ord. 2012-55, 12-18-2012)

7-18-2: SCOPE:

This chapter shall only apply to the naming or renaming of certain city facilities as defined or identified under this chapter.

As used in this chapter, "city facilities" is defined as the city's physical plant, including any buildings, parks, cultural arts and recreational facilities, and other infrastructure, that are solely owned by the city and have a fair market value of more than thirty thousand dollars (\$30,000.00).

This chapter shall not apply to the naming or renaming of the following city facilities:

- A. Any street, the naming of which shall be governed by chapter 1 of this title.
- B. Any trail, or a portion of any trail, the naming of which shall be an administrative decision upon recommendation of the Ogden trails network committee pursuant to title 3, chapter 22 of this code.
- C. Any monuments, historical markers, statues, plaques or other similar objects located on city property which are governed by title 6, chapter 4 of this code.
- D. Any building the city leases to a tenant who places that tenant's name or information on such building consistent with lease terms.

(Ord. 2012-55, 12-18-2012)

7-18-3: NAMING OR RENAMING PROCEDURES:

It is the policy of the city that the naming or renaming of any city facility shall be mutually accomplished through joint cooperation of the mayor and city council. Accordingly, an ordinance naming or renaming any city facility described in this chapter shall only be adopted consistent with a joint resolution of the city council and the mayor.

(Ord. 2012-55, 12-18-2012)

7-18-4: NAMING OR RENAMING CRITERIA:

The criteria set forth in this section may be considered by the city council and mayor in determining whether to name or rename a city facility. Additional criteria may also be considered by the city council and mayor, as may be deemed appropriate.

A. The following accomplishments, achievements and circumstances may be considered when evaluating any proposal to name or rename a city facility after any individual or group of individuals:

1. Extraordinary civic contribution to the community.
2. Loss of life in the line of duty while serving as a city employee.
3. Loss of life and/or performing a heroic act while serving in any branch of the United States armed forces.
4. Widespread recognition as a national or historical figure.
5. Contributions of significant cost of acquisition and/or development of a specific city facility.

The naming of a city facility for a deceased person will generally not be considered until at least one year after the date of death.

B. The following accomplishments, achievements and circumstances may be considered when evaluating any proposal to name or rename a city facility after any organization, including any nonprofit or for profit entity:

1. Extraordinary civic contribution to the community.
2. Contributions of significant cost of acquisition and/or development of a specific city facility.

C. Any city facility may be appropriately named or renamed after an event (or series of events) with cultural or historical significance, provided such event has a meaningful and direct nexus to the city.

D. Any city facility may be appropriately named after adjacent or nearby streets, landmarks, neighborhoods or other similarly identifiable geographic areas.

E. With regard to naming or renaming a city facility after any individual:

1. That individual should not be an incumbent elected or appointed official in local, state or federal government.
2. That individual should not have been convicted of a felony.
3. The city shall obtain, or shall make a reasonable attempt to obtain, consent from such individual or, if such individual is deceased or cannot be contacted, from members of the individual's family.

F. City facilities should not be given any name that may:

1. Cause confusion due to duplication of, or similarity to, an existing named city facility or location within the city.
2. Include or may be associated with the name of:
 - a. Any individual, group of individuals, or organization commonly associated with tobacco, alcohol, obscenity, or any sexually oriented business or activity;
 - b. Any religious or political organization, unless the name relates to a historic or civic contribution of such organization; or
 - c. Any religious leader, unless such leader is being honored or recognized solely for the leader's civic contribution.
3. Have an inappropriate acronym, short form, or modification.
4. Is discriminatory, derogatory or offensive.
5. Relates to or may create a controversial event or situation.
6. Recognizes a single individual for a contribution similar or identical to a contribution made by others within a particular group associated with that individual.

(Ord. 2012-55, 12-18-2012)

7-18-5: REVISION, ADDITION, REVOCATION OR REMOVAL OF NAMES:

A. The naming or renaming of such city facility shall not be deemed as permanent nor exclusive, nor shall it constitute a property interest owned by any person or organization.

B. Names may be revised or added to any city facility pursuant to the criteria, guidelines and procedures of this chapter.

C. The ordinance approving the naming or renaming of a city facility may include a sunset provision under which the name will be removed from the city facility at the end of a specified period of time or upon a particular date. In the event the ordinance fails to include such a sunset provision, the naming or renaming of such city facility shall endure until modified.

D. When a city facility is removed, replaced or destroyed, the name of the city facility shall cease to endure unless renamed pursuant to this section.

E. Upon circumstances arising after naming that would cast a negative image upon the city, the name of any city facility may be immediately revoked at the sole discretion of the mayor.

(Ord. 2012-55, 12-18-2012)

7-18-6: SPONSORSHIP NAMING:

A. The mayor may, on behalf of the city, enter into a sponsorship naming agreement with an individual, group of individuals or organization under which a city facility specifically used to promote cultural arts or recreation is named or renamed in exchange for cash or other significant contributions to the city. Any such agreement must be in writing, and the naming or renaming of any city facility pursuant to such agreement must comply with the naming criteria of this chapter. The written agreement must be specifically referenced in the joint resolution approving such naming or renaming. The sponsorship naming agreement must:

1. Describe the consideration given in exchange for naming rights;
2. If deemed necessary, provide for an endowment fund or other financial resources sufficient to pay the city facility's ongoing maintenance costs;

3. State that the city reserves the right to immediately and unilaterally remove the city facility name should the city learn or otherwise determine that the individual, group of individuals or organization (including any owner, officer or director of such organization) has engaged in conduct or activities deemed contrary to community standards of justice, honesty or good morals, or has breached the sponsorship naming agreement;

4. Specify the circumstances under which the agreement may be terminated;

5. Specify the exact length of time the city facility name will be used. A sponsorship naming right should not endure in perpetuity and is subject to renaming except as limited in the sponsorship naming agreement; and

6. Be reviewed and approved by the city attorney's office prior to execution by the mayor. A sponsorship naming agreement signed by the mayor is subject to and contingent upon adoption of a joint resolution and ordinance pursuant to this chapter to name the city facility.

B. The donation of land, facilities, or funds for the acquisition, renovation or maintenance of any real property, facilities, amenities, or any other resources directly or indirectly related to any city facility shall not constitute an obligation by the city to name such city facility, or any portion thereof, after any individual, group of individuals, or organization, except as set forth in a sponsorship naming agreement executed and approved pursuant to this section.

(Ord. 2012-55, 12-18-2012)

Chapter 13.24

STREET NAMES

Sections:

- 13.24.010 Criteria for Naming or Renaming a Street**
- 13.24.020 Procedure for Change of Street Name**
- 13.24.030 Application Fee**
- 13.24.040 Council Initiated Action to Rename Street**

13.24.010 Criteria for Naming or Renaming a Street

A. Street may only be named:

1. If listed on the adopted Heritage Street Name List.
2. After a prominent person who:
 - a. Achieved prominence as a result of his or her significant, positive contribution to the history of the world, United States, the State of Oregon, Southern Oregon, or the City of Ashland.
 - b. Is a real person, and
 - c. Has been deceased for at least five years.
3. For a geographical place name of prominence.
4. For flora, fauna, or geologic materials.
5. After a commemorative event which:
 - a. Achieved distinction as a result of significant and positive contribution to the world, United States, the State of Oregon, Southern Oregon, or the City of Ashland.
 - b. Actually occurred.
6. For a description of the area in which the street is located or a prominent landmark nearby.

B. No street name shall be approved if it is similar to or pronounced the same as the name of any other street within the City.

C. Names for new streets shall be approved by the public works director after consultation with the fire, police and community development departments. (Ord. 2819 § 1, amended, 1998)

13.24.020 Procedure for Change of Street Name

The following procedure shall be used in considering changes in street names:

- A. A person who desires a street name change shall submit a written request together with the application fee to the engineering division of the public works department. The request shall state the reasons for the proposed name change and shall include a scale diagram of the street.
- B. Any proposed name change must meet the requirements of AMC [13.24.010](#).
- C. The public works department shall consider the request and may schedule a public hearing before the City council. If a hearing is scheduled:
 - 1. Notice of the public hearing shall be mailed to the owners of property fronting the street and the fire, police and community development departments.
 - 2. The scope of the hearing shall be limited to the change of the street name.
 - 3. No recommendation for a name change shall be made unless the council finds that a public need for the change exists, confusion will be eliminated, or it is desirable for the convenience of the general public. The council shall have complete legislative discretion to change the name of any street in the City.
- D. Street name changes shall be made by resolution. (Ord. 2819 §§ 2, 3, amended, 1998)

13.24.030 Application Fee

A street name change application fee shall be established by resolution of the council.

13.24.040 Council Initiated Action to Rename Street

Notwithstanding other provisions of this chapter, the council may rename a street in order to correct errors, to eliminate confusion or to further the public interest. Actions initiated under this section shall be exempt from the procedure set forth in section [13.24.020](#). (Ord. 2793, amended, 1997)

The Ashland Municipal Code is current through Ordinance 3203, passed November 2, 2021.

Disclaimer: The City Recorder's office has the official version of the Ashland Municipal Code. Users should contact the City Recorder's office for ordinances passed subsequent to the ordinance cited above.

[City Website: www.ashland.or.us](http://www.ashland.or.us)

City Telephone: (541) 488-5307

[Code Publishing Company](#)



City of Hermosa Beach

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MUNICIPAL NAMING, MONUMENT AND SPONSORSHIP POLICY GUIDE

PUBLIC FACILITIES + OUTDOOR SPACES
MONUMENTS, STATUES + PUBLIC ART
EVENT + ACTIVITY SPONSORSHIP

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PURPOSE

The purpose of this policy is to establish criteria and formal procedures for consideration of the naming of public facilities and outdoor space; the placement of Monuments or Statues, public art, and memorial park benches; and event and activity Sponsorships for the purpose of recognizing individuals, groups or organization that have made a significant contribution to the City of Hermosa Beach. This policy shall guide the City Council in its approval of these recognition opportunities to ensure a thorough and formal review of each request.

This policy outlines criteria, conditions and procedures in order to maintain integrity, encourage philanthropic giving while acknowledging public investments, and to safeguard against unwanted commercialization of City Assets. Consideration will include the specific name(s) of public facilities and outdoor space; the specific placement of Statues and/or Monuments on City-owned land; Sponsorship opportunities; and the duration of each of these relationships.

GENERAL INFORMATION

Definitions

The following definitions will apply for the purpose of this policy:

City Assets: Tangible or intangible items of value that are owned or created by the City including but not limited to both City facilities and City-owned land.

City Facility (included in City Assets): Any part of real property or structure owned by the City including, but not limited to parks, libraries, Recreational Facilities buildings, parking facilities, interior or ancillary features that are a part of, or within, a larger facility and other City facilities.

Civic Organizations: any local service club or association not organized for profit but operated exclusively for education or charitable purposes.

Commission: Commission as defined by the Hermosa Beach Municipal Code Chapters 2.28; 2.32; 2.76 and 2.80.

Donation or Gift: A monetary (cash) contribution, endowments, personal property, real property, financial securities, equipment, in-kind goods or services, or any other City Asset that the City has accepted and for which the Donor has not received any goods or services in return.

Donor: A person or other legal entity that proposes or provides a Donation to the City.

Funding: Financial or in-kind resource to provide Funding that might result in Naming or Renaming.

Naming: The selection and approval by the city for the initial Naming of a City Asset within the public right of way.

Monument or Statue: a structure erected to commemorate a famous or notable person or event.

Renaming: The selection and approval by the City for a new name of an existing City Asset.

Sign Ordinance: The City's sign regulations contained in the Hermosa Beach Municipal Code Chapter 17.50.

Sponsorship: A contractual arrangement for a defined period of time where a third party provides goods, services or financial contribution in return for access to the commercial/marketing potential associated with rights to be publicly denoted as being a sponsor of a city service, program, event, activity or sub-component of a City Asset and/or rights for the inclusion and public display of the third party's name as part of the name of a city service, program, event, activity or sub-component of a City Asset.



NAMING OF PUBLIC FACILITIES + OUTDOOR SPACE

Purpose

To establish formal policies as a guide to the City Council in considering appropriate names for city-owned land, buildings, and facilities (City Asset); whether, and under what circumstances, such land, building, and facilities should be named or renamed in honor of an individual; and the duration of Naming rights of City-owned land, buildings, and facilities.

This policy is in place to ensure the following:

- The Naming of public facilities and outdoor space enhances a sense of community within the city.
- Parks and recreational areas are easily identified and located.
- Names given are consistent with the values and characteristics of the City of Hermosa Beach.
- Assure the quality of the title/name, so that it will serve the purpose of the city in a permanent manner.
- Encourage public participation and input in order to fully represent the best interest of the area affected; and
- Encourage and recognize the dedication of lands, or Donations by individuals or groups.

Guiding Principles

In considering proposals for the Naming or Renaming of a city-owned public facility or outdoor space, the city will consider whether the proposed name will:

- Engender a strong positive image consistent with the city's goals and values;
- Be appropriate relative to the City Asset's location and/or history;
- Have historical, cultural, or social significance for future generations;
- Commemorate places, people, or events that are of continued importance to the city, community, region, or state;
- Have symbolic value that transcends its ordinary meaning or use and enhances the character and identity of the City Asset;
- Names that have recognizable geographic, topographic, or historical significance associated with Hermosa Beach. In assessing this type of name, the City Council will take into consideration the recommendations from different bodies such as the Planning Commission or the Hermosa Beach Historical Society.
- Have broad public support; and
- Not result in the excessive commercialization of the City Asset.

Guidelines

The City Council will consider requests for the Naming of public facilities and outdoor space whether submitted by City Council members, city staff, city agencies, Civic Organizations, or by members of the community.

City-owned land, buildings and facilities may be named in honor of persons who have served the nation, the State of California and/or the City of Hermosa Beach in an exceptional and distinguished manner; and where such action is warranted by a contribution or service which is deemed to be of major significance. In assessing this honor, the City Council will take into consideration the recommendations from different bodies such as the applicable City Commission(s) or local interest groups.

City-owned land, buildings and facilities may be named after individuals or families who have donated the land or funds for a capital project, particularly if such Naming is set forth as a condition of the Donation. Additionally, the City Council may approve the Naming of city-owned land, buildings or facilities based on an organization or individual's monetary contribution to the city for that purpose. The funds from that contribution may be used for any purpose deemed appropriate by the City Council unless there is a specified use as a condition of

the contribution. The duration of the name is on a case-by-case basis at the discretion of the City Council unless otherwise set forth as a condition of the contribution approved by the Council.

The names of city-owned land, buildings and facilities shall not normally be named in honor of individuals when they have previously been named for another individual. However, if the Council deems it appropriate, they may vary from the guideline on a case-by-case basis.

When appropriate, parks, trails and facilities can be named after predominant geographical or physical features of the land. These may include natural features or man-made features. Different sections of public facilities and outdoor space may carry names that differ from that of the overall park or facility. This may include the Naming of individual items in a park or facility such as a meeting room. However, the guidelines outlined in this guide shall still apply in the selection and adoption of the name.

Review Procedure

Consideration of requests for the Naming of public facilities and outdoor space will include the following:

1. **Submittal Request.** Letter requests for Naming of City-owned land, buildings and facilities shall be filed with the City Clerk. Letters shall include clear justification for the request including qualifying information, as outlined below.
2. **Sub-committee Review.** Upon review by the City Manager and if the request warrants further investigation, it will be presented to the City Council to consider designating a sub-committee consisting of two (2) City Council Members to provide a detailed analysis and recommendation. The Council may also direct any applicable Commission to also create a sub-committee to further assist in the review.
3. **Sub-committee(s) Recommendation.** The sub-committee(s) will present their recommendations to the applicable body followed by the City Council for a formal review. If the Sub-committee recommends approval, it will also provide a written statement to be preserved as to who the individual is/was and why the naming is taking place.

4. **City Council Review.** The City Council will make its determination as to the Naming or Renaming of City-owned land, buildings, and facilities at regularly scheduled meetings. The decision of the City Council will be final.
 - a. In the case the request is denied by the Council, no further action is taken.
 - b. If the request is approved, staff will begin implementing the Naming of the public facility or outdoor space through execution of a formal agreement.

Qualifying Names and Criteria

The review and selection of names will follow an extensive and exhaustive review of several factors. The following will be considered as part of this review:

- Geographical location of the facility or outdoor space including descriptive names.
- An outstanding feature of the area (i.e. hill, vegetation).
- Commonly recognized subjects of historical significance such as an event, person, group, culture, or place.
- A person or group who significantly contributed to the acquisition or development of the park/facility.
- An individual who provided an exceptional service in the interest of the park system as a whole or for the community as a whole.
- A person whose contribution or significant Gift is of a most extraordinary nature.
- Parks and facilities that are donated to the city can be named by deed restriction by the Donor.

Additionally, Naming may be considered based on the provision of significant Funding that underwrites the cost of renovation or construction of city property. Financial underwriting shall be broadly defined as substantial monetary contributions that enable the City to acquire, maintain, and/or improve City Assets. This may include monetary Gifts and/or grants that leverage federal, state and local Funding for such projects or complete Donation of land.

Renaming

The intent of Naming a public facility or outdoor space is intended for permanent recognition. Therefore, the Renaming of parks and facilities is strongly discouraged. Requests for the Renaming or removal of the name of an already named public facility or outdoor space will be subject to the most careful examination so as not to diminish the original justification for the name or discount the value of the prior contributors. Notwithstanding the preceding language, and

unless restricted by an agreement with a Donor, City Council has complete discretion to remove a name or rename a property



MONUMENTS, STATUES + PUBLIC ART



Purpose

To establish formal policies as a guide to the City Council in considering the placement of a Monument, Statue or public art on city-owned land including city facilities and outdoor spaces; whether and under what circumstances a desired location would be best suited for the placement of a Statue, Monument and/or public art in honor of an individual or family; and the duration of this placement of a Statue,

Monument and/or public art.

Memorial park benches are not included as part of this policy. These are administered by the Public Works Department and should be contacted directly for further details. The Community Development Department oversees placement of Monuments, Statues and public art on private property.

Guiding Principles

In considering proposals for the placement of a Monument, Statue or public art on city-owned land including City facilities and outdoor spaces, the city will evaluate whether the Monument or public art piece:

- Engenders a strong positive image consistent with the city's goals and values;

- Have historical, cultural, or social significance for future generations;
- Commemorate places, people, or events that are of continued importance to the city, community, region, state, or nation;
- Have symbolic value that transcends its ordinary meaning or use and enhances the character and identity of the City Asset;
- The location of the Monument, Statue or public art piece is significant in some measurable way to the individual or image depicted;
- The individual or image depicted in the art piece have recognizable geographic, topographic, or historical significance associated with Hermosa Beach. In assessing this type of name, the City Council will take into consideration the recommendations from different bodies such as the Planning Commission or the Hermosa Beach Historical Society.
- Have broad public support; and
- Not result in the excessive commercialization of the City Asset.

Guidelines

The City Council will consider placement of Statues, Monuments or public art whether submitted by City Council members, city staff, city agencies, Civic Organizations, or by members of the community.

Placement of a Statue, Monument or public art should have recognizable geographic, topographic, or historical significance associated with Hermosa Beach. In assessing this placement location, the City Council will take into consideration the recommendations from different bodies such as the applicable City Commission(s) or local interest groups. Placement may be in honor of persons who have served the nation, the State of California and/or the City of Hermosa Beach in an exceptional and distinguished manner; and where such action is warranted by a contribution or service which is deemed to be of major significance.

Placement of a Statue, Monument or public art in honor of a deceased person shall generally not take place until after a minimum of one-year waiting period unless the City Council determines that there are overriding considerations deviating from this policy guideline. This policy guideline is not intended in any way to reflect on the merits of any deceased individual who may have been a prominent civic leader. However, it is felt appropriate to establish some type of waiting period to ensure that an individual's accomplishments or contributions will stand the test of time; and that a decision shall not be made on an emotional basis immediately following a person's death.

A Statue and/or Monument may be named after individuals or families who have donated the land or funds for the capital project, particularly if such Naming is set forth as a condition of the Donation. The City Council may approve the placement of a Statue and/or Monument based on an organization or individual's monetary contribution to the city for that purpose. The funds from that contribution may be used for any purpose deemed appropriate by the City Council unless there is a specified use as a condition of the contribution. The duration of the name is on a case-by-case basis at the discretion of the City Council unless otherwise set forth as a condition of the contribution approved by the Council.

Review Procedure

Consideration of requests for the placement of a Monument, Statue or public art on city-owned land including city facilities and outdoor spaces will include the following:

1. **Submittal of Request.** Letter requests for Naming of City-owned land, buildings and facilities shall be filed with the City Clerk. Letters shall include clear justification for the request including qualifying information, as outlined below.
2. **Sub-committee Review.** Upon review by the City Manager and if the request warrants further investigation, it will be presented to the City Council to consider designating a sub-committee consisting of two (2) City Council Members to provide a detailed analysis and recommendation. The Council may also direct any applicable Commission to also create a sub-committee to further assist in the review.
3. **Sub-committee(s) Recommendation.** The sub-committee(s) will present their recommendations to the applicable body followed by the City Council for a formal review. If the Sub-committee recommends approval, it will also provide a written statement to be preserved as to who the individual is/was and why the naming is taking place.
4. **City Council Review.** The City Council will make its determination as to the placement of a Statue, Monument or public art on city-owned land including city facilities and outdoor spaces at regularly scheduled meetings. The decision of the City Council will be final.

- a. In the case the request is denied by the Council, no further action is taken.
- b. If the request is approved, staff will begin implementing the Naming of the public facility or outdoor space through execution of a formal agreement.

Signage

Donor or Naming acknowledgement is permitted but must be approved by the City Council prior to installation. This approval will include review of the size, subject matter, overall sign design, materials, location and placement. Signage shall comply with the Sign Ordinance (HBMC 17.50) and adhere to the City's official logo and branding guidelines. Additionally, the following criteria must also be followed:

- Any physical form of recognition shall not interfere with visitor use or routine operations.
- The form of any on-site recognition shall:
 - Be of appropriate size and color within the design scheme of the facility, Monument, Statue or public art piece;
 - Not dominate the sign in terms of scale or color; and
 - Not detract from surroundings or any interpretive messages.

The use of corporate logos and insignias on recognition signs will be considered by the City Council for formal approval prior to installation.



Municipal Naming, Monument and Sponsorship Quick Glance

	APPROVAL
NAMING OF PUBLIC FACILITIES AND OUTDOOR SPACES	City Council retains sole authority to name City-owned land, buildings, and facilities.
PLACEMENT OF MONUMENTS, STATUES, OR PUBLIC ART	City Council retains sole authority to allow installation of a Monument, Statue or public art to honor or memorialize a person or family or to celebrate the culture of the community.
SPONSORSHIP OF CITY EVENT OR ACTIVITY	The City Manager retains authority to allow for the Sponsorship of city operated programs. If deemed necessary by the City Manager, the sponsorship opportunity would be taken to the City Council for final approval.
MEMORIAL BENCH DONATION PROGRAM	The Public Works department accepts, reviews and administers Memorial Bench Donation requests.

CITY OF SAN ANTONIO, TEXAS
PART II - CODE
Chapter 6 - BUILDINGS
ARTICLE XVI. - NAMING OF CITY FACILITIES AND STREETS
DIVISION 3. CHANGING THE NAME OF A FACILITY

DIVISION 3. CHANGING THE NAME OF A FACILITY

Sec. 6-667. Commencement of process for renaming a facility and specific areas; suggestion of new name.

- (a) A request to change the name of a facility shall be filed with the office of the city clerk who shall follow procedures as directed by division 2 of this article.
- (b) Specific rooms, areas, or other parts of a facility may be renamed individually.
- (c) Once filed and complete, the city clerk shall deliver it to all appropriate council members and department-head committee members.
- (d) The request to change the name of a facility shall be complete upon submitting:
 - (1) The current official facility name; and,
 - (2) The proposed new facility name; and,
 - (3) The name, address, and telephone number of each person, group, agency, or entity requesting the facility name change; and,
 - (4) The names, addresses, and telephone numbers of all of the property owners, residents, businesses, and tenants located within two hundred (200) feet of the facility in favor of the name change.
 - (5) Fees. Fees shall consist of:
 - a. Request fee.
 - b. Estimated facility sign replacement cost.
 - c. The projected notification fee(s).
- (e) The requesting party, other than the city, shall pay the required fees.

(Ord. No. 2011-03-31-0239, § 1, 3-31-11)

Sec. 6-668. Committee procedure for approving name change; submission of name to city council; bypassing committee review.

- (a) Under no circumstances shall a facility name change request bypass the committee.
- (b) Committee review and recommendation.
 - (1) Time limitations shall not exceed ninety (90) days total from the time the application is complete to submitting a name to the city council. For computation purposes, the 90-day period begins when the application is complete. The department has fifteen (15) days to forward the completed application to the committee.
 - (2) Once the public hearing date has been chosen, the department shall immediately cause notice to be served:

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- a. By mail to all residents or businesses within a 200-foot radius of the facility to be named, and
 - b. By public service announcements, press releases, and other appropriate community bulletins to the entire city.
 - (3) A period of at least fifteen (15) days shall be required in order to give the department sufficient time to provide notice.
 - (4) The committee shall meet on the designated date to consider the submitted name(s). This meeting shall be open to the public and time shall be allowed for public comment. The committee shall either approve the submitted name and forward to city council or reject the submitted name. Should the committee reject the submitted name, estimated sign costs shall be reimbursed.
 - (5) Within thirty (30) days of concluding that the name should be changed, the committee shall submit in writing both the submitted name and its rationale for the choice to city council. No name shall be submitted unaccompanied by the committee's rationale.

(Ord. No. 2011-03-31-0239, § 1, 3-31-11)

Sec. 6-669. Contents of notice.

Notices for renaming facilities shall contain the following:

- (1) A statement explaining the process to rename a facility, room, or part of a facility; and,
- (2) The submitted name(s); and,
- (3) A description of what is to be renamed and its general location; and,
- (4) Any submitted reason for the name(s), if applicable; and,
- (5) The date, time, and place of the meeting to consider the submitted name(s); and,
- (6) A statement that the meeting shall be open to the public and shall provide time for public comment.

Information directing that any written response in favor of or against a submitted name change may be sent to a named point of contact at a corresponding mailing address up until and including the scheduled committee hearing date. For calculation purposes of the two-thirds ($\frac{2}{3}$) responses in subsection 6-666(b), only those responses postmarked on or prior to the hearing date shall be considered.

- a. If the renaming of more than one (1) facility, room, or part of a facility is to be considered at one (1) meeting, the information required by subsection (a) above, for each individual facility, room or part of a facility to be considered at that meeting may be included in one (1) notice.
- b. It will be the responsibility of the department(s) to which the facility belongs to notify the property owners, residents, tenants and businesses located within two hundred (200) feet of the facility. There shall be a notification period of thirty (30) days before the name change is sent to city council. This will afford the recipient the opportunity to notify the department(s) of their support of, or opposition to, the facility name change. The department shall not issue an owner/resident/business notification unless the applicant has paid all required fees.

(Ord. No. 2011-03-31-0239, § 1, 3-31-11)

Sec. 6-670. Required fees for renaming facilities.

An applicant, other than the city, shall pay for facility renaming signage. Signage shall complement the architecture and design of the building. All required fees are to be paid to the department at the time of application; otherwise, the application will be considered incomplete and rejected.

(Ord. No. 2011-03-31-0239, § 1, 3-31-11)

Sec. 6-671. City council action.

Prior committee review and submittal:

- (1) The committee shall forward the submitted name to the city council as soon as practical, but in no case more than thirty (30) days after consideration. Subject to subsection 6-671(2) below, the city council shall adopt or reject the name. Should the city council adopt the name, the committee's written rationale shall be kept for historical reference. Should the city council reject the submitted name, the process is over.
- (2) If two-thirds ($\frac{2}{3}$) of the responses to the committee's written notice of a suggested name are against changing the existing name, nine (9) votes of the city council members shall be required in order to adopt the suggested name.

(Ord. No. 2011-03-31-0239, § 1, 3-31-11)

(CITY OF SAN ANTONIO, TEXAS)
PART II – CODE
Chapter 6 - BUILDINGS
ARTICLE XVI. - NAMING OF CITY FACILITIES AND STREETS
DIVISION 6. CHANGING THE NAME OF STREET

DIVISION 6. CHANGING THE NAME OF STREET

Sec. 6-674. Commencement of the process for changing the name of a street and/or adding the designation of a memorial name.

- (a) An application to change the name of a street or adding a memorial name designation shall only be filed with the development services department by:
 - (1) A member of the city council;
 - (2) The director of development services, if it is determined that the street name change is in the best interest of the health, safety, welfare, and public convenience and safety of the citizens of San Antonio;
 - (3) One of the following located on the subject street:
 - a. A group;
 - b. An agency;
 - c. A business;
 - d. An owner of property; or
 - (4) An officer or authorized representative of a governmental subdivision, agency, or department.
- (b) The official application shall be on a form prescribed by the development services department. A complete application shall consist of:
 - (1) The official application form, and
 - (2) Required fees (see section 6-677).
- (c) In addition to the official application, the following shall be submitted:
 - (1) The name and address of all owners of property affected by the name change. The applicant shall submit this information for the purposes of official notification. The development services department shall verify the list of owners of property. An incorrect notification list shall cease the case until such time that a correct list is submitted by the applicant.
 - (2) A copy of the complete application shall also be submitted to the Office of Historic Preservation so that a review as provided in subsection 6-675(c) may commence.
- (d) There shall be an application completeness review that shall take no longer than ten (10) business days.
- (e) From the date of the respective city council action, a segment of street that city council has approved for change of name or addition of memorial designation may not be altered for a period of five (5) years.

(Ord. No. 2011-03-31-0239, § 1, 3-31-11; Ord. No. 2011-12-15-1049, § 1, 12-15-11; Ord. No. 2017-05-04-0296 , § 1, 5-4-17)

Sec. 6-675. Administrative review.

- (a) The development services department shall distribute copies of the application for review and comment to:
 - (1) Every city department.
 - (2) The United States Postal Service.
 - (3) Bexar County.
 - (4) Bexar Metro 9-1-1 Network.
 - (5) Applicable School District(s).
 - (6) City Public Service Energy.
 - (7) San Antonio Water System.
 - (8) BexarMet Water System.
 - (9) Texas Department of Transportation.
 - (10) Any other department or entity the director may determine is appropriate.
- (b) The agencies listed in subsection (a) shall have a review and comment period consisting of no more than ten (10) days. The ten-day review and comment period shall begin the next business day following the completion of the application completeness review. All agency comments shall be addressed by the applicant before placement on any commission agenda. If no comment is received by a reviewing agency by the tenth (10th) day, the application shall be presumed acceptable by that agency.
- (c) During the administrative review of the application, the office of historic preservation shall make a determination whether the current street name affected by the application meets any of the following criteria:
 - (1) Names a street within a historic district, whether that be local or the National Register;
 - (2) Names a street wholly within, or a street with a portion within, the original thirty-six (36) square mile boundary of San Antonio;
 - (3) Is the name of a primary arterial as shown on the Major Thoroughfare Plan of the city.

Should any of these criteria be found, consideration by the historic and design review commission shall be required before the case can be scheduled for consideration by the planning commission, and any recommendation from those considering bodies shall be forwarded to the city council for their review.
- (d) Staff shall schedule the item for consideration on the next available agenda of the planning commission or historic and design review commission, if applicable, following the completion of the administrative review period.

(Ord. No. 2011-03-31-0239, § 1, 3-31-11; Ord. No. 2011-12-15-1049, § 1, 12-15-11)

Sec. 6-676. Public hearing process for renaming.

- (a) The renaming of streets, including the designation of a memorial name, requires a recommendation from city staff, the planning commission at a public hearing, the historic and design review commission if determined under subsection 6-675(c), and final consideration by city council at a public hearing.
- (b) Not less than ten (10) days before the first public hearing, the development services department shall:

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- (1) Mail notice of the public hearing(s) to all owners of real property along the subject street segment as listed in the Bexar County Appraisal District, and registered neighborhood associations within which the subject street segment is located.

Notices of public hearing(s) for renaming streets shall contain the following:

- a. An explanation of the request; and,
 - b. The submitted street name(s); and,
 - c. The general location of the street to be renamed; and,
 - d. The justification for the renaming submittal; and,
 - e. The date, time, and place of the public hearing(s) to consider the new street name(s); and,
 - f. A statement that the meeting(s) shall be open to the public in accordance with the Texas Open Meetings Act and shall provide time for public comment; and,
 - g. Information directing that any written response in favor of or against a submitted name change may be sent to the development services department.
- (2) Post notice on the development services department's internet website and leave posted throughout the entire public process.
- (c) At the public hearings, the planning commission shall consider the request and make a recommendation on the suggested name(s).
 - (d) The planning commission's recommendations and rationales for the recommendations shall be forwarded to the city council for final consideration in accordance with the city council agenda item scheduling procedures.
 - (e) Notification of the city council public hearing shall be as prescribed in section 6-676. Should the city council approve the new name(s), the written rationale of the planning commission shall be kept by the city clerk for historical reference.

(Ord. No. 2011-03-31-0239, § 1, 3-31-11; Ord. No. 2011-12-15-1049, § 1, 12-15-11)

Sec. 6-677. Required fees.

All required fees shall be paid to the development services department at the time of application.

- (1) Application processing fee of one thousand dollars (\$1,000.00).
- (2) Estimated costs associated with notice requirements in section 6-676.
- (3) The cost of manufacturing and replacing street signs. The cost of replacing street signs is subject to change at any time. This includes, but is not limited to, any and all signs maintained by the Texas Department of Transportation (TxDOT); estimated costs related to new street sign manufacturing and installation; and projected notification costs. The applicant will be responsible for paying any applicable TxDOT fees. If an application for a street name change is denied by city council, the new street sign manufacture and installation fee shall be refunded to the applicant pursuant to the development services department's refund policy.

(Ord. No. 2011-03-31-0239, § 1, 3-31-11)

Sec. 6-678. Implementation.

The development services department shall administratively implement a street name change approved by the city council and the public works department shall install the new street signs.

(Ord. No. 2011-03-31-0239, § 1, 3-31-11)

Sec. 6-679. Notice of name change.

The development services department shall provide a copy of each recorded street name change ordinance to:

- (1) Every reviewing party listed in subsection 6-675(a).
- (2) The Bexar County Appraisal District.

(Ord. No. 2011-03-31-0239, § 1, 3-31-11)

Sec. 6-662. Choices of names.

- (a) In all cases, the name choice should reflect and be appropriate to the type of facility, the facility's location, and the character and history of the particular community in which it exists.
- (b) If the name is to honor a living person, caution should be exercised to ensure that the person is of such a character that the name shall still hold honor upon that person's death.
- (c) Although the choices for a name are unlimited, names generally should be chosen to reflect:
 - (1) The location or geographical area or feature;
 - (2) Memorials to national or state leaders or public figures;
 - (3) Memorials to San Antonio or local leaders or persons;
 - (4) Mascots or characters of local folklore and fiction;
 - (5) Events or affairs of historic significance (battles, treaties, disasters);
 - (6) Ideals or goals (unity, harmony, patriotism);
 - (7) Significant causes (independence, suffrage, equality);
 - (8) Facilitators or benefactors of the property or facility;
 - (9) Traditional names for that type of facility (numbers for fire stations, locations for police stations).
- (d) Any change of a facility's existing name should be done only for a significant reason which includes honoring a person, place, institution, entity or event.

(Ord. No. 2011-03-31-0239, § 1, 3-31-11)

COUNCIL POLICY

CURRENT

SUBJECT: NAMING OF CITY ASSETS

POLICY NO.: 900-20

EFFECTIVE DATE: April 13, 2017

BACKGROUND:

The City, through its departments, and advisory boards and commissions, has followed a number of processes/policies for *naming* or *renaming* its parks, libraries and other *City Assets*. Generally, these policies provide for the *naming* or *renaming* requests based on (1) the location of the *City Asset*, (2) the identity of an individual of historical significance to the local area, or (3) the identity of an individual or entity whose contributions to the City and/or the community supports the request. From time to time, the City has also named *City Assets* after a person or entity who has provided significant financial support for the *City Asset* being named.

The City wishes to replace any existing *naming* or *renaming* policies with one comprehensive citywide policy, as follows:

PURPOSE:

The purpose of this policy is to establish uniform guidelines for *naming* and *renaming* of *City Assets*.

This policy outlines the criteria, conditions, and procedures that govern *naming* and *renaming* of *City Assets* in order to maintain their integrity, to encourage philanthropic giving while acknowledging public investments, and to safeguard against unwanted commercialization of *City Assets*.

This policy does not apply to:

1. Marketing Partnerships entered into under Council Policy 000-40, except that consideration should be given to Guiding Principles, Section C (Funding Criteria) below in regards to them;
2. The *naming* of public streets addressed in Chapter 12, Article 5, Division 11 of the San Diego Municipal Code (SDMC);

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3. Artworks, which are exempt from this Council Policy. Artworks are defined and governed by San Diego Municipal Code 26.0701 et seq.;
4. Public safety-related *City Assets*;
5. Council Policy 100-02 (Donation Acceptance);
6. *Donor Acknowledgement*; and
7. Council Policy 200-10 (Honorary Street Names).

DEFINITIONS

For the purpose of this policy, the following definitions apply:

Board: Board as recognized by the San Diego Municipal Code (SDMC) and/or City Charter.

City Assets: Tangible or intangible items of value that are owned or created by the City, including but not limited to both *City facilities* and leaseholds that do not exceed 35 years and/or that confer ownership rights by agreement. This definition does not include Artworks, which are city assets under San Diego Municipal Code 26.0701 et seq.

City Facility (included in City Assets): Any part of real property or structure owned by the City or for which *naming* rights are conferred by agreement, including, but not limited to parks, libraries, *Recreational Facilities* buildings, parking facilities, interior or ancillary features that are a part of, or within, a larger facility and other City facilities.

City Sponsored or Recognized Support Group: May include, but is not limited to: recreation councils, “friends of” organizations, Community Planning Groups, town councils, or similar entities.

Commission: Commission as recognized by the SDMC and/or City Charter;

Department Director: Appointed director of the department that owns the *City Asset* eligible for *naming* or *renaming*. The director may assign this responsibility to other department staff within their delegation of authority.

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Donation or gift: A monetary (cash) contribution, endowments, personal property, real property, financial securities, equipment, in-kind goods or services, or any other *City Asset* that the City has accepted and for which the *donor* has not received any goods or services in return. For purposes of this Council Policy, the terms “donation” and “gift” shall be synonymous.

Donor: A person or other legal entity that proposes or provides a *donation* to the City.

Donor Acknowledgement: Excluding *naming*, donor acknowledgement is permanent writing on plaques, walls, stone carvings, pavers, bricks, electronic display, or interpretive signs that are temporary or permanent and are used to recognize the financial contribution of a *donor*.

Funding: Financial or in-kind resource to provide funding that might result in *naming* or *renaming*.

Funding Source: The source of *funding* which can include individuals, nonprofit organizations, and for-profit entities.

Naming: The selection and approval by the City for the initial *naming* of a *City Asset* other than streets within the public right of way.

Non-profit Organization: A corporation or an association that conducts business for the benefit of the general public without shareholders and without a profit motive.

Recreational Facility (included in City Assets): Major structures such as community centers, aquatic facilities, picnic shelters/pavilions, athletic courts, and fields.

Renaming: The selection and approval by the City for a new name of an existing *City Asset* other than streets within the public right of way.

Sign Ordinance: The City’s sign regulations contained in SDMC §§ 142.1201 – 142.1292.

POLICY:

The policy of the City is to reserve *naming* or *renaming* of *City Assets* for circumstances that will best serve the City’s interests and ensure a worthy and enduring legacy for the City. To this end, the City supports *naming* or *renaming* requests within the following broad categories:

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1. Location. As a general policy, a name should assist the public in identifying its location. The City shall first consider the name of the community area, the names of nearby geographic features, and the names of adjacent schools and streets when it is considering a *naming/renaming* request.
2. Significant Events, People, and Places. The history of a major event, place, or person may play an important role to preserve and honor a community's history, landmarks, or prominent geographical features. The City may name a *City Asset* for a major event, place, or person of social, cultural or historical significance to the local area when the *City Asset* is associated with or located near the events, people, or places of social, cultural or historical significance. The relationship of the event, person, or place to the *City Asset* must be demonstrated through research and documentation.
3. Outstanding Individuals. This category is designed to acknowledge individuals who have made substantial contributions to benefit the City, local community, park and recreation system, or public library. Naming or renaming a *City Asset* for an outstanding individual is encouraged for those person's whose significance and good reputation have been accepted in the community, City and/or State/National history. If it is not appropriate to name the larger *City Asset* after an individual, then naming or renaming can be subordinate to the name of the larger *City Asset* or the City may name an area or portion of the *City Asset* after an individual, including but not limited to a meeting room, structure, fountain, or garden.

In considering the *naming* or *renaming* of a *City Asset* after an individual, priority will be given to those who made a sustained and lasting contribution to:

- a. The City of San Diego
- b. The State of California
- c. The United States of America

4. Major Donations. The City has benefited from the generosity of residents, organizations, and businesses. The significance of *funding* may warrant acknowledging the *funding source* through *naming* or *renaming*.
 - a. The threshold for *naming* or *renaming* a *City Asset* for an individual, organization, or business when *funding* is involved should include a *donation* agreement and one or more of the following:

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- i. A significant contribution towards the capital construction costs of the structure;
 - ii. A deed to the City of land for the majority of the *City Asset* by the *donor*; and/or
 - iii. A twenty-year endowment for the continued maintenance and operations of the *City Asset*.
- b. *Donors* seeking *naming* or *renaming* rights for major *donations* with respect to an individual should use the guidelines for Outstanding Individuals above.

GUIDING PRINCIPLES

A. General Provisions

- 1. In considering proposals for the *naming* or *renaming* of a *City Asset*, the City will consider whether the proposed name will:
 - a. Engender a strong positive image consistent with the City's goals and values;
 - b. Be appropriate relative to the *City Asset*'s location and/or history;
 - c. Incorporate the assigned historic name if the *City Asset* is a designated historical resource listed on the local, State, or National Register of historic resources;
 - d. Have historical, cultural, or social significance for future generations;
 - e. Commemorate places, people, or events that are of continued importance to the City, community, region, or state;
 - f. Have symbolic value that transcends its ordinary meaning or use and enhances the character and identity of the *City Asset*;
 - g. Have broad public support; and
 - h. Not result in the excessive commercialization of the *City Asset*.

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2. The City will not permit corporate logos, insignias, or advertising slogans in a permanent naming or renaming of a City facility.
 3. A park or library's official documented name should not include the name of a corporation or business. If an organization or foundation's name consists of one or more individuals' names, then the guidelines for Outstanding Individual *naming* should be utilized.
 4. When considering the *naming* or *renaming* of a *City Asset* (excluding official documented names of parks and libraries) that includes a business name, *naming* or *renaming* must be for a defined contractual period of time with regard to the life of the *City Asset*.
 5. All related signage shall comply with the *Sign Ordinance*.
 6. The City shall retain full editorial control over all related signage subject to the *Sign Ordinance* and adhere to the below criteria.
 - a. Any physical form of on-site recognition shall not interfere with visitor use or routine operations.
 - b. The form of any on-site recognition shall:
 - i. Be of appropriate size and color within the design scheme of the facility;
 - ii. Not dominate the sign in terms of scale or color;
 - iii. Not detract from surroundings or any interpretive messages; and
 - iv. Be subject to review and approval by the *Department Director*.
- B. Funding Acceptance Criteria.* The City may not accept *funding* as part of a *naming* or *renaming* proposal that would create any conflict of interest, as set forth in the City's Ethics Ordinance (Chapter 2, Article 7, Division 35 of the SDMC) and the Fair Political Practices Commission regulations (Title 2 of the California Code of Regulations, sections 18110 – 18997). The following principles form the basis of the City's consideration of *naming* or *renaming* proposals based on *funding* of a *City Asset*:

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1. The mission of a *Funding Source* must not compete, impair or conflict with the policies, goals or operations of the City;
2. The *funding source* must provide a desirable association according to the Guiding Principles under this Policy; and
3. *Naming* or *renaming* rights offered are commensurate with the relative value of the *funding*.

PROCEDURES

A. *Naming* or *Renaming* Application Process

1. Applicants and proposers (including *City Sponsored* and/or *City Recognized Support Groups*) shall submit their *naming* or *renaming* proposal to the *Department Director* depending on asset type.
2. If applicant's proposal follows the intent of this Council Policy, the *Department Director* shall make a proposal in writing for *naming* or *renaming* of a *City Asset* as follows:
 - a. For library facilities, the *Department Director* will make the proposal to the Board of Library Commissioners.
 - b. For parks and *recreational facilities*, the *Department Director* will make the proposal to the Park and Recreation Board.
 - c. For other *City Assets*, the *Department Director* will make the proposal to the appropriate Deputy Chief Operating Officer for the City Facility for which the *naming* or *renaming* is proposed.
 - d. Other City staff may review and provide input on the proposal for *naming* or *renaming*.
3. Written proposals must, at a minimum, include the following information:
 - a. The proposed name;
 - b. Reasons for the proposed name, including a discussion of the criteria identified in this policy;

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- c. The amount of the *donation* or *funding* provided for the *City Asset*, if applicable;
- d. Written documentation outlining community support for the proposed name; and
- e. If proposing to *rename* a *City Asset*, justification for changing an established name.

B. Naming and Renaming Review Process

1. Upon receipt of a *naming* or *renaming* proposal for any *City Asset*, the *Department Director* reviewing the *naming* or *renaming* proposal shall consider the following items in the review, including but not limited to, the following:
 - a. Submit the proposal to appropriate City historical staff to review the California Historic Resources Inventory Database (CHRID) to determine if the *City Asset* is a Designated Historical Resources with an assigned historic name;
 - b. Ensure that supporting information has been authenticated;
 - c. If the *City Asset* is a Designated Historical resource listed on the local, State or National Register of Historic Places, any on-site recognition shall comply with the U.S. Secretary of the Interior's Standards for the Treatment of Historic Properties and shall be reviewed and approved by the City's Historical Resources staff according to those standards;
 - d. Ensure compliance with Charter section 225 (Mandatory Disclosure of Business Interests);
 - e. Consider the impact of the *naming* or *renaming* to the community; and
 - f. Consider the cost of implementation and signage, and identify the *funding* to cover such costs.
2. The *Department Director* will submit the proposal to the City Attorney's Office for legal review of the following issues that include, but are not limited to:
 - a. Ownership rights, by agreement or by law; and

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- b. Adherence to City policies, such as the San Diego Charter and SDMC, as well as any local, state, or federal regulation.
3. For all *City Assets* other than a library or park that do not involve *funding*, the *Department Director* will submit a recommendation to the Assistant Chief Operating Officer, Chief Financial Officer, or Deputy Chief Operating Officer as appropriate for review. The *Department Director* will submit the proposal for final approval of *naming* or *renaming* to the Chief Operating Officer. Prior to approval, City staff will notify the applicable Council District(s) and publish a notice with 30 days for comments by the public that will be taken into consideration by the Department Director following the process outlined herein.

If a *naming* or *renaming* request is for a library or park and does not involve *funding*, then the *Department Director* will advise the applicable board or commission who will invite comments from relevant community groups or associations.

C. The City, in its sole discretion, may:

1. Reject *naming* or *renaming* proposals or remove existing *naming* that portray or include depictions, words, or phrases that the City reasonably deems to be harmful, controversial or otherwise do not support the guiding principles stated in this policy; and
2. Reserve the right to rename any *City Asset* for any reason, for instance if the resident, organization, or business for which it is named turns out to be disreputable, becomes disreputable or does not otherwise support the Guiding Principles set forth in this Policy.

FUNDRAISING GUIDELINES

From time to time, the City may receive offers for outside support groups to identify donors to fundraise for specific *City Assets* in exchange for *naming* rights. *City Sponsored or Recognized Support Groups* intending to fundraise (excluding *Donor Acknowledgement* programs) for multiple *naming* rights or major projects must take the following steps:

1. Develop recommendations for *naming* opportunities with gift levels prior to receiving gifts and offering *naming* rights to prospective donors.

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2. Draft and submit recommended *naming* opportunities with gift levels to the *Department Director* for review.
3. Upon receipt of recommended naming opportunities with gift levels, the *Department Director* reviewing the *recommendation* will consider the following items in the review, including, but not limited to, the following:
 - a. Submit the request to appropriate City historical staff to review the City's CHRID to determine if the *City Asset* is a Designated Historical Resource with an assigned historic name;
 - b. Ensure that supporting information has been authenticated;
 - c. If the *City Asset* is a Designated Historical Resource listed on the local, State or National Register of Historic Places, any on-site recognition shall comply with the U.S. Secretary of the Interior's Standards for the Treatment of Historic Properties and shall be reviewed and approved by the City's Historical Resources staff according to those standards;
 - d. Ensure compliance with Charter section 225 (Mandatory Disclosure of Business Interests);
 - e. Consider the community impact;
 - f. Consider the impact of the *donation* or *funding* to the completion of a project, if applicable; and
 - g. Consider the cost of implementation and signage, and identify the *funding* to cover such costs.
4. The *Department Director* will submit the proposal to the City Attorney's Office for legal review of the following issues that include, but are not limited to:
 - a. Ownership rights, by agreement or by law; and
 - b. Adherence to City policies, such as the San Diego Charter and SDMC, as well as any local, state, or federal regulation.
5. Upon completion of the above steps, the *Department Director* will work with the City Attorney to prepare a draft agreement with the *City Sponsored or Recognized Support Group*.

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6. Upon approval by the *Department Director*, the *City Sponsored or Recognized Support Group* will submit the recommended *naming* or *renaming* opportunities with gift levels and draft agreement to the corresponding board or commission.
7. Upon approval by the board or commission, the *Department Director* will submit the final draft recommendation on the *naming* or *renaming* opportunities with gift levels along with the draft agreement to the City Council for final approval. Only after City Council approval may the *City Sponsored or Recognized Support Groups* begin soliciting and accepting donations for *naming* or *renaming* rights.
8. No final commitment to name a *City Asset* or portion thereof shall be made to a potential donor without the final approval by the *Department Director* and Assistant Chief Operating Officer or Chief Operating Officer. *Naming* or *renaming* rights that include *funding* will have final approval by City Council.

HISTORY:

“Naming of City Assets”

Adopted by Resolution R-311043 – 04/13/2017

<div> <div>City of Menlo Park</div> <div>City Council Policy</div> </div>		
Department City Council Subject Naming and/or Changing the Name of Facilities	Page 1 of 1	Effective Date February 25, 1986
	Approved by	Procedure # CC-86-
	Department Head	
	City Manager	

PURPOSE AND SCOPE

From time to time the City has the opportunity to name a new facility, or is requested to change the name of a previously designated park, playground, building or other unit under the City's jurisdiction.

In order to formalize the City's consideration of these requests, and to provide better guidelines to the public, the City does hereby adopt the following policy guidelines for the naming of facilities.

1. It shall be the policy of the City not to change the name of any existing recreation and park facility, particularly one whose name has City or national significance, unless there is the most extraordinary circumstances of City or National interest and no other new facility can so be designated.
2. The existing place names within Menlo Park shall be deemed to have historic significance to the City. The City will modify existing names only with the greatest reluctance and only to commemorate a person or persons who have made major, overriding contributions to the City and whose distinctions are as yet unrecognized.
3. The Park and Recreation Commission, after considering inputs from the community, will recommend to the City Council names for new parks, playgrounds, athletic fields, paths, tennis courts, flower beds, buildings and miscellaneous facilities. The naming will recognize:
A deceased person (no sooner than five years after death, ethnic or other national or community groups not yet honored in some fashion, who have made significant contributions to the City and/or the Park and Recreation and have not been previously honored in a meaningful way by the City.
4. It shall be the policy of the City generally to encourage plaques commemorating donations including tree memorials, horticultural collections or plant materials.
5. Where appropriate to the facility, the City encourages the donation of memorial benches.
6. At those facilities having recreation buildings, the City from time to time may authorize placing of a memorial plaque inside a building when that facility is closely identified with a person or group, but the policy of the City is to retain the historic name of the facility.
7. For other than naming a new facility, it is the policy of the City to take no action until at least six months from the receipt of a suggested name change or the adoption of these policies.

(Council took a look at this policy again on Jan. 27, 1998 with no changes)



MEMO

TO: San Marcos Historic Preservation Commission
FROM: Alison Brake, Historic Preservation Officer
DATE: December 5, 2022
RE: Item 5: Tree and Habitat Protection Requirements

Commissioner Little requested that this item be placed on the agenda for discussion; the Commission held a similar discussion on the item in June 2022.

Tree and habitat protection is regulated by Chapter 6, Article 4 of the San Marcos Development Code; attached for reference. The regulations found in this Article are applicable to all new development within the city limits, including development projects undertaken by the city. These standards apply regardless of whether a property is located within a historic district or not.

In summation, trees 9-inches or greater may be removed with City approval. This is typically handled during the development process when a site plan or building permit is submitted for review. Table 6.5 defines tree classifications: A **protected tree** is one that is measured at 9-23 inches in diameter at breast height and a **heritage tree** is one measured at 24 inches or greater in diameter at breast height. If a protected tree is removed, it must be replaced at an inch per inch ratio. If a heritage tree is removed, it must be replaced at a ratio of 2:1, meaning for every inch removed, two inches must be replaced. However, tree credits for preserving trees within the limits of construction may be granted and can be used to complete needed replacement inches. When a protected tree is preserved, ½ credits are given for each inch of that protected tree. When a heritage tree is preserved, 1 credit is given for each inch of that heritage tree. Section 6.4.2.1(B)(1) states the following: *"Native oaks, elms, sycamore, bald cypress, madrone, and pecan trees are particularly to be preserved."*

The oak tree on Franklin Street was designated a historic landmark in 1986 after it came to light that the tree was ailing and needed intensive treatment. Neighbors in that area campaigned and fundraised to save the tree, which still stands tall today. As a local historic landmark, the tree is protected under Chapter 2, Article 5, Divisions 4 and 5 of the San Marcos Development Code.

development site that are located within a water quality zone, a buffer zone or a sensitive feature protection zone.

TABLE 6.4 IMPERVIOUS COVER LIMITS WITHIN THE EDWARDS AQUIFER RECHARGE ZONE

SIZE OF SITE	IMPERVIOUS COVER LIMIT
Up to and including three acres	40%
More than three acres and less than five acres	30%
Five acres or more	20%

Section 6.3.3.2 Impervious Cover Allocation

- A. Utilization of Site.** Land included in water quality zones, buffer zones, and sensitive feature protection zones may be used in the calculation of the total impervious cover allowed on the site. The total allowed impervious cover on a site may be allocated by an applicant in a manner that concentrates the allowed impervious cover in one or more uplands zones on the site.

ARTICLE 4: TREE AND HABITAT PROTECTION

DIVISION 1: GENERAL

Section 6.4.1.1 Purpose

The purpose of this Article is to conserve, protect and enhance existing trees and natural landscapes that are healthy and contribute to a safe and livable community, as well as to establish and maintain new trees. It is recognized that the presence of trees contributes to the overall quality of life and environment of the City. They are an integral part of healthy aquifers and river corridors, managing stormwater runoff, controlling erosion and dust, abating noise, reducing building energy costs, enhancing property values, and providing wildlife habitat.

DIVISION 2: TREE PRESERVATION AND PROTECTION DURING DEVELOPMENT

Section 6.4.2.1 General Tree Preservation Requirements

- A. Applicability.** The provisions of this section apply to all new development within the City and not within the ETJ, including development projects undertaken by the City of San Marcos.
- B. Intent**
1. In the course of development the existing natural landscape character shall be preserved to the maximum extent feasible. Native oaks, elms, sycamore, bald cypress, madrone, and pecan trees are particularly to be preserved. For example, when a site contains an existing stand of trees, the developer and builder shall use best good faith efforts to preserve such trees.
 2. Indiscriminate clearing or stripping of natural vegetation on a site or lot is prohibited.
- C. City Approval.** The removal of any protected or heritage tree for the purpose of development without City approval is expressly prohibited.
- D. Tree Survey**
1. To request City approval for the removal of a protected or heritage tree, submit a tree survey with the applicable development permit application. Issuance of the applicable

permit constitutes approval of tree removal and shall occur prior to any action being taken to remove a tree(s) or that may damage or disturb a tree(s) or its root system in any way.

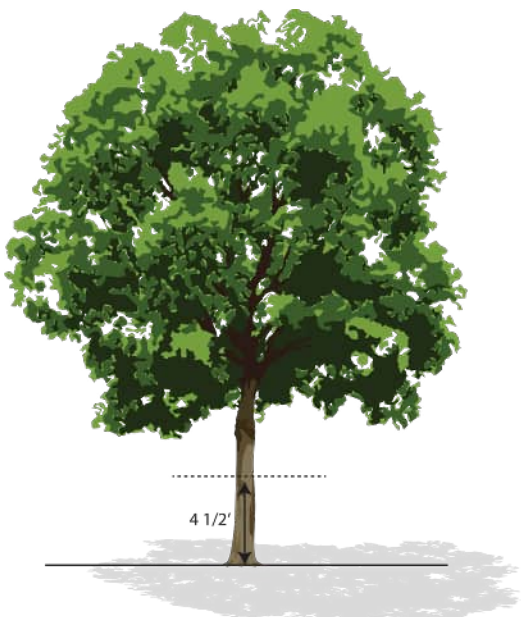
2. The tree survey required with an application for a Watershed Protection Plan, Phase 2 or a Site Permit under Section 2.6.1.1 or Section 2.7.1.1 shall include a drawing showing the species, size, location and scaled root protection zone of all protected and heritage tree(s), with an indication of those to be preserved or removed. The "Tree Preservation and Mitigation Table", located on the City's website, shall also be included.
3. Trees nine inches or larger shall be tagged and numbered, and numbers shall be depicted on the applicable drawing and associated table(s). The tags and associated numbers shall remain on the trees until the certificate of acceptance or certificate of occupancy is issued.
4. When submitting an application for a Watershed Protection Plan, Phase 1, under Section 2.6.1.1 an aerial photograph showing tree groupings and the location of heritage trees is required.

Section 6.4.2.2 Tree Measurement.

- A. Existing Tree Size and Measurement.** Tree size shall be stated in inches of "Diameter at Breast Height (DBH)". Both single-trunk and multi-trunk trees shall be measured at "breast height" which is defined as four-and-one-half feet (54 inches) above natural grade.

(Ord. No. 2019-45, 12-17-19)

FIGURE 6.3 MEASURING EXISTING TREES



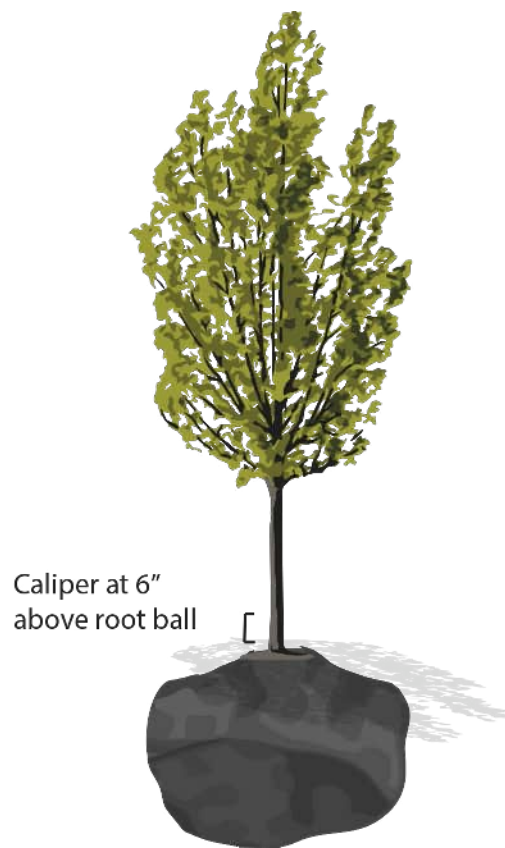
- B. Measurement of a Multi-Trunk Tree.** The DBH of a multi-trunk tree shall be calculated by the following equation: The DBH of the largest tree trunk, plus one-half the DBH of all other tree trunks. For example, a tree that has three trunks with DBHs of 7", 6", and 4" would be equivalent to a 12" DBH tree.

$$7" + (0.5 \times 6") + (0.5 \times 4") = 12" \text{ DBH}$$

(Ord. No. 2019-45, 12-17-19)

- C. Measurement of Nursery Stock.** The size of small or young trees to be planted (i.e., those with diameters of four inches or less) shall be measured at six inches above the root ball in "caliper" inches.

FIGURE 6.4 MEASURING NURSERY STOCK



Section 6.4.2.3 Classification of Protected and Heritage Trees.

TABLE 6.5 TREE CLASSIFICATIONS

TREE CLASSIFICATION	DBH (DIAMETER AT BREAST HEIGHT)
Protected Tree	9" - 23"
Heritage Tree	≥ 24"

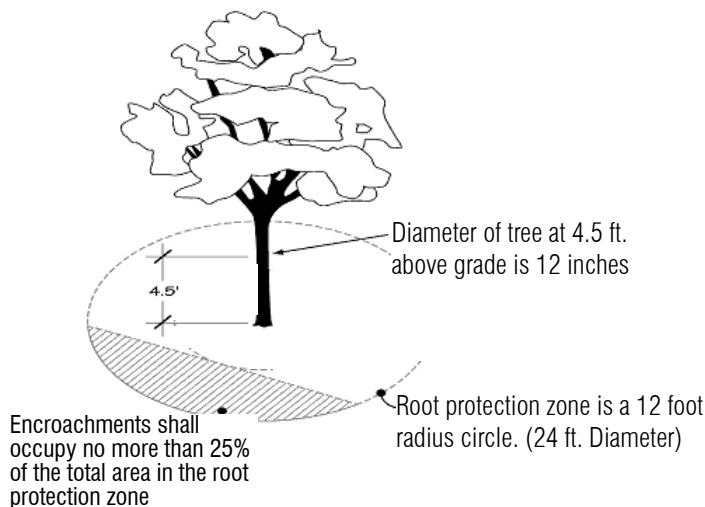
- A. Trees of the following species with a DBH less than 12 inches are excluded from the mitigation requirements of this code:
 1. *Celtis occidentalis* (Hackberry)
 2. *Juniperus ashei* (Common Cedar)
 3. *Juniperus virginiana* (Eastern Red Cedar)
 4. *Prosopis glandulosa* (Mesquite)
 5. *Acacia farnesiana* (Huisache)
- B. Trees identified on the noxious and invasive species list of any size are excluded from the mitigation requirements of this code.
- C. Trees deemed dead, in serious decline or hazardous by an ISA certified arborist, consulting arborist, and/or the City's Urban Forester are excluded from the mitigation requirements of this code.

Section 6.4.2.4 Tree Protection Standards

A. Protection of Existing Trees During Development.

1. No more than 25% of the root protection zone of trees to be preserved shall be disturbed. The root protection zone is measured as 1 foot in radius for every 1 inch in DBH of the tree. This area may overlap with a grouping of trees.

FIGURE 6.5 TREE PROTECTION STANDARDS



2. All preserved trees on a demolition or construction site shall be provided protection for a minimum of 75% of their root protection zone in accordance with City of San Marcos standard design and technical specifications.
3. Tree protection fences shall be shown on submitted plans and shall be in place for City inspection before any demolition, site clearance or other site-disturbing activity commences.
4. All building materials, dirt, excavation or fill materials, chemicals, construction vehicles or equipment, debris, other materials, and vehicle parking shall be kept outside tree protection fences.
5. Tree protection fences shall remain in place until the final building and site inspections are approved and the certificate of acceptance or certificate of occupancy is issued.

(Ord. No. 2019-45, 12-17-19)

Section 6.4.2.5 Tree Mitigation Requirements

Any protected or heritage tree that is removed from the site due to development must be replaced on-site as follows:

TABLE 6.6 TREE MITIGATION REQUIREMENTS

TREE CLASSIFICATION	MITIGATION REQUIRED IN DIAMETER INCHES
Protected Tree	1:1 (1 Inch per inch removed)
Heritage Tree	2:1 (2 Inches per inch removed)

- A. All required mitigation trees shall be provided as shade trees meeting the planting, installation, and maintenance requirements of Sections 7.2.4.1, 7.2.4.2, and Appendix D of the San Marcos Design Manual.
- B. **Off-Site Mitigation.** The primary goal is to replant trees on a development site. With the express, written approval of the Responsible Official, however, some or all of the required mitigation trees that cannot feasibly be planted in any area of the development site can be planted in a park or other city right-of-way located within the same quadrant of the City as the development site.

(Ord. No. 2019-45, 12-17-19)

C. Tree Fee-in-lieu. While the primary goal is to replant trees on a development site, when some or all of the required mitigation trees cannot feasibly be planted in any area of the development site or in a nearby park or other public property, the Responsible Official may allow the applicant to pay a fee-in-lieu of planting mitigation trees. Payment per caliper inch as set by City Council resolution for required mitigation trees shall be paid into the tree fund. The funds in this account shall be dedicated solely to tree planting and care and other tree preservation activities within the the same quadrant of the City as the development site. Refer to the fee schedule on the City's website for the current rates.

(Ord. No. 2019-45, 12-17-19)

Section 6.4.2.6 Tree Credits

A. Incentives to Retain Existing Trees. In order to encourage the preservation of trees that are already established and growing, particularly heritage trees, additional credit as outlined in the table below shall be given for healthy existing trees. To receive credit, the existing tree must be of a species included on the preferred list in the technical manual and located within the limits of construction (LOC) of the development site. Tree credits for preserving existing trees can be used to meet either the landscaping requirements for trees or the mitigation requirements for other removed trees.

TABLE 6.7 TREE CREDITS

TREE CLASSIFICATION	TREE CREDITS IN DIAMETER INCHES
Protected Tree	1/2:1 (1/2 Inch per inch preserved)
Heritage Tree	1:1 (1 Inch per inch preserved)

Section 6.4.2.7 Tree Preservation and Protection After Development

A. Duty of Persons for Trees on Property. It shall be the duty of the property owner to maintain all trees planted pursuant to, or preserved by, this Article in a healthy condition in accordance with the following:

1. Any person or persons owning or occupying real property on which there may be trees must ensure that such trees do not obstruct utility or telephone lines. Only city-

contracted arborists are allowed to trim trees within 12 feet of utility and telephone lines.

2. Any person or persons owning or occupying real property bordering on any street upon which property there may be trees, must prune such trees in such a manner that they will not obstruct or shade the street lights, obstruct or interfere with the passage of pedestrians on sidewalks, obstruct vision of traffic signs, or obstruct the view from any street or alley intersection. The minimum clearance of any overhanging portion thereof shall be 8 feet over sidewalks and 16 feet over all streets, except truck thoroughfares which shall require a clearance of 18 feet.
 3. Any person or persons owning or occupying real property on which there may be trees that are diseased or insect-infested, must remove, spray or treat any such trees in a manner that will not infect or damage nearby public vegetation or cause harm to the community or citizens therein.
 4. When trees that are subject to or protected by this Article die, are missing, or are otherwise deemed unhealthy by the City, they shall be removed and replaced by the property owner to comply with the applicable standards.
 5. Any person or persons owning, occupying or controlling real property upon which tree pruning or removal occurs must advise all landscape contractors, tree services, arborists and others who remove or prune diseased trees of the need for proper disinfection of all cutting tools. All wounds to the trunk, limbs, roots, or stumps of oak trees should be sprayed with paint within 20 minutes of cut or incident with wounding or removal to prevent the spread of oak wilt. This provision applies to any person, firm, corporation, business entity, City department or private utility.
- B.** If the owner or occupant of such property does not perform the duties set out in subsection A above, the City may order the pruning, removal or treatment of tree(s) on private property that cause obstructions, present insect or disease problems or otherwise present a danger to public health or safety. The order shall be in writing to the owner or occupant responsible for such condition and shall be acted upon within 30 days from the time of the receipt of the order. If, after 30 days, the owner or occupant has not responded or acted to prune, remove or

treat the tree(s), the City shall have the authority to enter upon the property to perform the work necessary to correct the condition and bill the owner or occupant for the actual costs incurred. In situations deemed necessary to the public health, safety, or welfare, the City may act without prior notification to the property owner or occupant.